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ABSTRACT

This coursebook and training manual for a secondary/postsecondary level course on boating safety comprises one of a number of military-developed curriculum packages selected for adaptation to vocational instruction and curriculum development in a civilian setting. The purpose stated for the individualized, self-paced course is to establish policy and prescribe responsibilities and standards for the training of personnel assigned to boating safety law enforcement duties. The coursebook lists the reading assignments and objectives of each section. The training manual is divided into 19 chapters, each of which presents in detail laws and policies pertaining to the subject covered in that chapter. A chapter summary and/or a chapter quiz is provided for most of the chapters. The areas covered are boating safety; jurisdiction; motorboat laws and the Boat Safety Act of 1971; boarding boatcraft; documentation, licensing, numbering, and registration; legal requirements for boat operators; manufacturers' standards; rules of the road; negligent and grossly negligent operation; correction of an especially hazardous condition; boat examination techniques; preparation of Notice of Violation/Report of Boarding Form CG-4100; arrest; state boating safety programs; U.S. Coast Guard Auxiliary; boating accidents; regattas and marine parades; water pollution laws; and first aid. A glossary is appended. (YLB)

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MILITARY CURRICULUM MATERIALS

The military-developed curriculum materials in this course package were selected by the National Center for Research in Vocational Education Military Curriculum Project for dissemination to the six regional Curriculum Coordination Centers and other instructional materials agencies. The purpose of disseminating these courses was to make curriculum materials developed by the military more accessible to vocational educators in the civilian setting.

The course materials were acquired, evaluated by project staff and practitioners in the field, and prepared for dissemination. Materials which were specific to the military were deleted, copyrighted materials were either omitted or approval for their use was obtained. These course packages contain curriculum resource materials which can be adapted to support vocational instruction and curriculum development.

The National Center Mission Statement

The National Center for Research in Vocational Education's mission is to increase the ability of diverse agencies, institutions, and organizations to solve educational problems relating to individual career planning, preparation, and progression. The National Center fulfills its mission by:

- Generating knowledge through research
- Developing educational programs and products
- Evaluating individual program needs and outcomes
- Installing educational programs and products
- Operating information systems and services
- Conducting leadership development and training programs

FOR FURTHER INFORMATION ABOUT
Military Curriculum Materials
WRITE OR CALL

Program Information Office
The National Center for Research in Vocational Education
The Ohio State University
1960 Kenny Road, Columbus, Ohio 43210
Telephone: 614/486-3655 or Toll Free 800/848-4815 within the continental U.S. (except Ohio)

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Military Curriculum Materials for Vocational and Technical Education

Information and Field Services Division

The National Center for Research in Vocational Education

Military Curriculum Materials Dissemination Is . . .

an activity to increase the accessibility of military-developed curriculum materials to vocational and technical educators.

This project, funded by the U.S. Office of Education, includes the identification and acquisition of curriculum materials in print form from the Coast Guard, Air Force, Army, Marine Corps and Navy.

Access to military curriculum materials is provided through a "Joint Memorandum of Understanding" between the U.S. Office of Education and the Department of Defense.

The acquired materials are reviewed by staff and subject matter specialists, and courses deemed applicable to vocational and technical education are selected for dissemination.

The National Center for Research in Vocational Education is the U.S. Office of Education's designated representative to acquire the materials and conduct the project activities.

Project Staff:

Wesley E. Budke, Ph.D., Director
National Center Clearinghouse

Shirley A. Chase, Ph.D.
Project Director

What Materials Are Available?

One hundred twenty courses on microfiche (thirteen in paper form) and descriptions of each have been provided to the vocational Curriculum Coordination Centers and other instructional materials agencies for dissemination.

Course materials include programmed instruction, curriculum outlines, instructor guides, student workbooks and technical manuals.

The 120 courses represent the following sixteen vocational subject areas:

- Agriculture
- Aviation
- Building & Construction Trades
- Clerical Occupations
- Communications
- Drafting
- Electronics
- Engine Mechanics
- Food Service
- Health
- Heating & Air Conditioning
- Machine Shop
- Management & Supervision
- Meteorology & Navigation
- Photography
- Public Service

The number of courses and the subject areas represented will expand as additional materials with application to vocational and technical education are identified and selected for dissemination.

How Can These Materials Be Obtained?

Contact the Curriculum Coordination Center in your region for information on obtaining materials (e.g., availability and cost). They will respond to your request directly or refer you to an instructional materials agency closer to you.

CURRICULUM COORDINATION CENTERS

EAST CENTRAL
Rebecca S. Douglass
Director
100 North First Street
Springfield, IL 62777
217/782-0759

MIDWEST
Robert Patton
Director
1515 West Sixth Ave.
Stillwater, OK 74704
405/377-2000

NORTHEAST
Joseph F. Kelly, Ph.D.
Director
225 West State Street
Trenton, NJ 08625
609/292-6562

NORTHWEST
William Daniels
Director
Building 17
Airdustrial Park
Olympia, WA 98504
206/753-0879

SOUTHEAST
James F. Shill, Ph.D.
Director
Mississippi State University
Drawer DX
Mississippi State, MS 39762
601/325-2510

WESTERN
Lawrence F. H. Zane, Ph.D.
Director
1776 University Ave.
Honolulu, HI 96822
808/948-7834

BOATING SAFETY 15-6

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Boating Safety BOSAF-0417 **Correspondence Course** 15-6

Developed by:
United States Coast Guard

Development and Review Dates:
11/80

Occupational Area:
Meteorology, Navigation, and Maritime Occupations

Print Pages:
458

Availability: The National Center for Research in Vocational Education; ERIC

Suggested Background:

NONE

Target Audiences:

Grade 11 - Adult

Organization of Materials:

Student workbook with objectives, assignments, tests and answers.

Type of Instruction:

Individualized, self-paced

Type of Materials:	**No. of Pages:**	**Average Completion Time:**
Course Book for Boating Safety	17	Flexible
Boating Safety Training Manual	436	Flexible

Supplementary Materials Required:

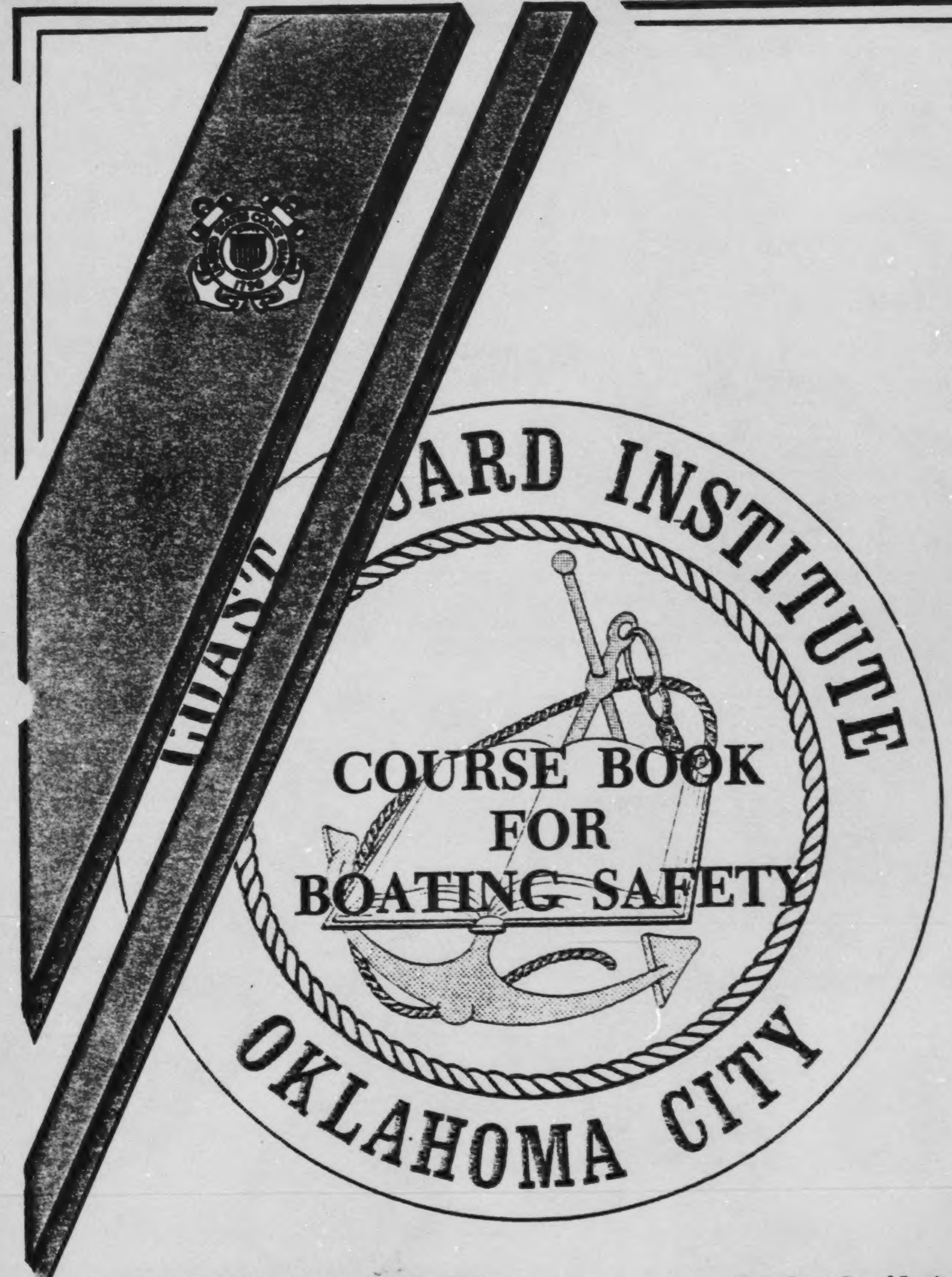
NONE

Course Description:

This course consists mainly of a student training manual. The coursebook for the student lists the reading assignments and objectives of each section.

The training manual is divided into 19 chapters. Each chapter discusses in detail laws and policies pertaining to that subject. The areas covered are:

1. Boating Safety
2. Jurisdiction
3. Motorboat laws and the Boat Safety Act of 1971
4. The Boarding Manual
5. Documentation, Licensing, Numbering and Registration
6. Legal Requirements for Boat Operators
7. Manufacturers Standards
8. Rules of the Road
9. Negligent and Grossly Negligent Operation
10. Correction of an Especially Hazardous Condition
11. Boat Examination Techniques
12. Preparation of Notice of Violation/Report of Boarding Form, CG-4100
13. Arrest
14. State Boating Safety Programs
15. U.S. Coast Guard Auxiliary
16. Boating Accidents
17. Regattas and Marine Parades
18. Water Pollution Laws
19. First Aid


COAST GUARD INSTITUTE
OKLAHOMA CITY

COURSE BOOK
FOR
BOATING SAFETY

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard (02/81)

U. S. Coast Guard Institute
004174

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IMPORTANT NOTE: In February 1981, the information contained in this pamphlet was current according to the latest updates of those Directives/Publications listed. This pamphlet was compiled for training ONLY. It should NOT be used in lieu of official Directives or publications. It is always YOUR responsibility to keep abreast of the latest professional information available for your rate.

The personnel responsible for the latest review and
update of the material in this component during February 1981 are:

BMC R. D. Rickles .... (Subject Matter Specialist)

YN1 P. B. Burgard .... (Typist/Typographer)

Questions about the text should be addressed to your Subject Matter Specialist.

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LESSON 1

JURISDICTION, LAWS, NUMBERING, REGISTRATION, DOCUMENTATION AND LICENSING

First Assignment

Read from page 2-1 through 2-11 and answer
questions 1 through 6 on page 2-11 & 2-12 in the text.

OBJECTIVES

When you finish this assignment you will be
able to:

1. List the elements of jurisdiction
2. Define: low water mark, territorial sea, customs waters, navigable waters, state waters, high seas, Great Lakes and Northern Boundary Waters, hot pursuit, innocent passage, and force majeure.

Second Assignment

Read from page 3-1 through 3-14 and answer
questions 1 through 6 on page 3-14 in the text.

OBJECTIVES

When you finish this assignment you will be able
to:

1. Summarize the Motorboat Act of 1940
2. Cite the major sections of the Federal Boating Safety Act of 1971.

Third Assignment

Read from page 5-1 through 5-19 and answer
questions 1 through 5 on page 5-19 & 5-20 in the text.

OBJECTIVES

When you finish this assignment you will be able to:

1. Describe the vessels required to be documented
2. List the requirements for documentation
3. List the types of documents
4. Describe the examination of a documented vessel
5. List the licensing requirements for ocean operator, operator, pilot
6. Recognize a certificate of numbers
7. Cite the proper display of numbers

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LESSON 2

LEGAL REQUIREMENTS AND RULES OF THE ROAD

First Assignment

Read from page 6-1 through 6-63 and answer questions 1 through 17 on page 6-63 & 6-64 in the text.

OBJECTIVES

When you finish this assignment you will be able to:

1. Identify Coast Guard approved equipment
2. Identify Types I, II, III, IV, V, P.F.D.
3. Identify CG approved fire extinguishers
4. Identify CG approved flame arresters
5. List the requirements for sound producing devices
6. State the requirements for ventilation

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LESSON 2

Second Assignment

Read from page 7-1 through 7-17 and answer
questions 1 through 9 on this page

OBJECTIVES

When you finish this assignment you will be able to:

State the major regulations required by Boating Safety standards

1. On a monohull boat built on 1 Dec 1973, where must the capacity information label be displayed?

   A. On the certificate of number
   B. Any location visible to the operator when getting the boat underway
   C. Any location on the boat hull
   D. On the outboard side of the starboard transom

2. Who is responsible for affixing the capacity information label?

   A. Owner
   B. Operator
   C. Manufacturer
   D. Coast Guard Inspector

3. What is the required MINIMUM letter height, if any, on a certification label?

   A. 1/8 inch
   B. 1/4 inch
   C. 1/2 inch
   D. No minimum

4. On a boat subject to a standard, where must the certificate label be installed?

   A. On the starboard side of the transom
   B. Within 6 inches of the HIN
   C. In a location clearly visible to the operator when getting the boat underway
   D. In any location

5. If the capacity information and certification labels are combined on a single backing, which label, if either, must be more prominent?

   A. Capacity information label
   B. Certification label
   C. Either may be more prominint
   D. Both must have equal prominence

6. On a boat built after 1 November 1972, where should you find the date of manufacture/date of certification?

   A. Capacity information label
   B. Hull identification number
   C. Engine identification number
   D. Manufacturer's code

7. On a boat built on or after 1 November 1972, the hull identification number (HIN) must be installed on the ______________.

   A. capacity information plate
   B. certification label
   C. transom
   D. forward thwart

8. What is the required MINIMUM height of the characters, if any, on the HIN?

   A. 1/8 inch
   B. 1/4 inch
   C. 1/2 inch
   D. No minimum

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LESSON 2

Third Assignment

Read from page 8-1 through 8-19 and answer questions 1 through 7 on page 8-19 & 8-20.

OBJECTIVES

When you finish this assignment you will be able to:

1. Define the terms, Inland and International Waters
2. List the lighting requirements under Inland and International Rules of the Road
3. Apply the steering and sailing rules

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LESSON 3

NEGLIGENT AND GROSSLY NEGLIGENT OPERATION, CORRECTION OF AN ESPECIALLY HAZARDOUS CONDITION, MOTOR BOAT EXAMINATION TECHNIQUES, CG-4100 AND WARNINGS

First Assignment

Read from page 9-1 through 9-15 and answer questions 1 through 6 on this page.

OBJECTIVES

When you finish this assignment you will be able to:

1. Identify negligent and grossly negligent operations
2. Cite the authority to require correction of an especially hazardous condition
3. Describe unsafe conditions

1. Grossly negligent operation is that which ______________.

A. lacks all care
B. endangers property only
C. endangers life only
D. could cause personnel injuries

2. You may cite a motorboat operator who is drinking beer or other intoxicants for negligent operation only if he ______________.

A. renders vulgar gestures to you
B. operates his motorboat in an erratic manner
C. operates his motorboat at a high rate of speed
D. operates his vessel on state waters where drinking of intoxicants aboard a vessel is prohibited

3. A case of negligent operation exists any time a vessel is operated ______________.

A. so as to endanger life, limb, or property
B. with equipment on board that is not Coast Guard approved
C. in an unposted swimming area
D. with drugs or intoxicants on board

4. If you have received a written complaint from a citizen concerning a case of negligent operation and, after checking the facts of the complaint, you find that there is not a case of negligent operation. You should prepare ______________.

A. a CG-4100 and forward it to the district commander
B. a CG-4100 and forward it along with the written complaint to the district commander
C. four copies of CG-4100 and forward them and the complaint to the district commander
D. a forwarding endorsement on the complaint and forward it to the district commander

5. Under the Federal Boating Safety Act of 1971, what phrase describes a condition involving a substantial risk to life or limb?

A. Grossly negligent
B. Especially risky
C. Especially hazardous
D. Especially careless

6. What is the greatest hindrance to safe boating?

A. Insufficient personal flotation devices aboard vessels
B. Inadequate firefighting
C. Negligent operation of vessels
D. Overpowered motorboats

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LESSON 3

Second Assignment

Read from page 10-1 through 10-9 and answer
questions 1 through 6 on this page.

OBJECTIVES

When you finish this assignment you will be able to:

1. Detect insufficient lifesaving and firefighting devices
2. Explain the use of terminating authority

1. Termination of unsafe use of a vessel is authorized in what Federal Law?

A. Motorboat Act of 1940
B. Federal Boating Act of 1958
C. Federal Act of June 9, 1910
D. Federal Boat Safety Act of 1971

2. When could you direct a vessel to return to the nearest safe mooring for having insufficient personal flotation devices aboard?

A. When the amount of personal flotation devices on board is 50% of the amount required by law
B. When the only personal flotation devices aboard are buoyant cushions
C. When further use of the vessel with the insufficient devices would create an especially hazardous condition
D. When the vessel operating in this condition is on Inland Waters only

3. Who determines what "other unsafe conditions" in the portion of federal law authorizing termination of unsafe use?

A. Boating Safety Officer
B. Officer-in-Charge, Marine Inspection
C. Congress
D. Commandant

4. If you terminate a vessel for having an accumulation of fuel in the bilges, what should you do with the vessel?

A. Direct the vessel to the nearest safe mooring
B. Direct the vessel back to its home port
C. Tow the vessel to the nearest safe mooring
D. Allow the vessel to continue to operate

5. Who could terminate vessel operations for a manifestly unsafe voyage?

A. Boating safety officer
B. District commander
C. Commanding officer of a station
D. Group commander

6. Which condition is NOT one of the unsafe conditions for which a vessel could be terminated?

A. Does not have sufficient fire extinguishers
B. Does not have sufficient PFD'S
C. Does not have sound producing device(s)
D. Not displaying running lights at night

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LESSON 3

Third Assignment

Read from page 11-1 through 11-9 and answer questions 1 through 4 on page 11-9 in the text.

OBJECTIVES

When you finish this assignment you will be able to:

1. List the various techniques for examining motorboats, yachts, and uninspected vessels
2. Cite procedures for examining vessels alongside and vessels previously examined

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LESSON 3

Fourth Assignment

Read pages 12-1 through 12-21 and answer questions
1 through 9 on this page

OBJECTIVES

When you finish this assignment you will be able to:

1. Prepare a Notice of Violation/Report of Boarding form, CG-4100
2. Specify when you may issue a warning or citation

1. When completing Form CG-4100, the numbering of the For Sequence is determined by the ________.

   A. CO/OINC
   B. Group Commander
   C. District Commander
   D. Commandant

2. When you are filling in the blocks of CG-4100 concerning fuel and engine compartments, you will be alerted to the requirements for________.

   A. sound producing devices
   B. ventilation
   C. a bilge blower
   D. the vessel's license

3. Which statement is correct concerning how you should enter the make and model of a boat on form CG-4100?

   A. List the model first and then the make
   B. List the make first and then the model
   C. List only the make, as the model will be obvious from supporting information on the CG-4100
   D. There is no particular way you should list the make and model, as long as you record both on the CG-4100

4. If a warning is authorized for a particular offense, you can issue the warning when the offender has had ________.

   A. no violation during the current boating season
   B. no violation within the last three years
   C. only one other violation within the last three years
   D. only one violation during the current boating season

5. For what violations are warnings authorized?

   A. Minor violations
   B. Any first violations
   C. Documented vessel violations
   D. Violations authorized by the Commandant

6. You may give a written warning for personal flotation devices that ________.

   A. are not readily accessible
   B. have a torn outer cover
   C. have no more than one tie strap missing
   D. are not Coast Guard approved

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LESSON 4

ARREST, STATE BOATING SAFETY PROGRAMS, AND USCG AUXILIARY

First Assignment

Read from page 13-1 through 13-19 and answer questions 1 through 16 on pages 13-19 and 13-20 in the text.

OBJECTIVES

When you finish this assignment you will be able to:

1. Cite your authority to arrest
2. Define criminal offenses
3. State the procedures for arrest with and without a warrant
4. List the elements of arrest
5. Determine when you may use force or firearms
6. List the types and forms of evidence

Second Assignment

Read from page 14-1 through 14-35 and answer question 1 on this page.

OBJECTIVES

When you finish this assignment you will be able to:

State the primary purpose of the State Boating Safety Program

1. What is the primary purpose of state boating safety programs?

   A. to collect revenue
   B. to promote safe boating
   C. to provide jobs
   D. to take the workload off the Coast Guard

Third Assignment

Read from page 15-1 through 15-8 and answer questions 1 through 10 on pages 15-9 through 15-10 in the text.

OBJECTIVES

When you finish this assignment you will be able to:

1. State the qualification for membership into the Auxiliary
2. Describe a Courtesy Motorboat Examination (CME)
3. Describe auxiliary operations

LESSON 5

BOATING ACCIDENTS, MARINE EVENTS AND REGATTAS, AND WATER POLLUTION

First Assignment

Read from page 16-1 through 16-35 and answer
questions 1 through 7 on this page.

OBJECTIVES

When you finish this assignment you will be able to:

1. Define "a reportable accident" or "casualties"
2. Cite reporting requirements
3. Prepare a boating accident report (CG-3865)
4. Conduct a boating accident investigation

1. If a reportable boating accident occurs on joint jurisdictional waters in a state having an approved numbering system, the boating accident report should be submitted to the ________.

A. State
B. appropriate Coast Guard district office
C. local officer-in-charge, Marine Inspection
D. Captain of the Port

2. A 52-foot commercial documented vessel involved in a reportable marine casualty would submit a Report of Vessel Casualty or Accident to the________.

A. Captain of the Port
B. State
C. Marine Inspection Office
D. Bureau of Marine Inspection

3. On what form would a commercial documented vessel submit a report of marine casualty not involving personal injury or loss of life?

A. CG-2692
B. CG-2992
C. CG-3865
D. CG-4100

4. When a boating accident involving only property damage occurs, the accident must be reported within ____________.

A. 2 days
B. 3 days
C. 10 days
D. 30 days

5. How many copies of the Report of Vessel Casualty or Accident form are required to be submitted for a reportable marine casualty?

A. Original and one
B. Original and two
C. Original and three
D. Original and four

6. In a case where there are no survivors of a boating accident, the accident report should be submitted by the ___________.

A. investigating officer
B. next of kin
C. vessel's insurance company
D. witness nearest the location of the accident

7. The Coast Guard investigates boating accidents any time that __________.

A. property damage is at least $100.00
B. vessels from two different states are involved
C. loss of life occurs
D. an accident occurs on state waters of a state not having an approved reporting system for boating accidents

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LESSON 5

Second Assignment

Read page 17-1 through 17-22 and answer questions
1 through 8 on this page

OBJECTIVES

When you finish this assignment you will be able to:

1. Cite the laws and regulations governing marine events and regattas
2. Explain application procedures, and approval of permits required to hold a marine event
3. State the requirements for special aids to navigation which may be established for a marine event
4. State the requirements for a regatta patrol

1. What should your answer be if you are asked, "By what authority does the Coast Guard utilize privately owned vessels to patrol marine events?"

A. Title 14 USC
B. Title 18 USC
C. Title 33 USC
D. Title 46 USC

2. What is the maximum Federal penalty that can be imposed on the owner of a vessel who is aboard that vessel and knows the vessel has violated a marine event regulation?

A. $200
B. $250
C. $300
D. $500

3. What is the PRIMARY purpose of implementing regulations for marine events and regattas?

A. Providing control over patrols assigned
B. Providing control over regatta and marine events on navigable waters
C. Insuring the sponsor obtains a Permit for Marine Event
D. Insuring the proper placement and utilization of private aids to navigation that are installed for the event

4. Who is ultimately responsible for the conduct of a marine event?

A. Coast Guard
B. Patrol commander
C. Sponsor of the marine event
D. Whoever issues the permit to hold the event

5. If you observe a participant in a marine event operating in such a way that is not authorized on the Permit for Marine Event and, in your judgment, is considered negligent operation, what should be your first course of action?

A. Immediately cite the vessel for negligent operation
B. Direct the sponsor to correct the condition
C. Notify the patrol commander and await his orders
D. Stop the event immediately

6. The duty of controlling spectator boats and boats traveling in and around a marine event area rests with the ______________.

A. Coast Guard patrol
B. marine event sponsor
C. district commander
D. Auxiliary flotilla commander

7. When buoys having no lateral significance are placed in the water by the sponsor of a marine event to indicate starting lines and turning points, they are called ______________.

A. special regatta aids to navigation
B. special markers
C. private aids to navigation
D. aids to navigation

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8. Special local regulations or ANY federal laws governing marine events cannot be enforced from a Coast Guard Auxiliary facility unless ________.

A. a felony has been committed in the presence of the facility owner
B. such regulations and Federal laws have been published in a local Notice to Mariners
C. a Coast Guard officer or petty officer is aboard
D. the authority to do so is stipulated on the Permit for Marine Event (CG-4424)

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LESSON 5

Third Assignment

Read from page 18-1 through 18-27 and answer questions 1 through 10 on page this page.

OBJECTIVES

When you finish this assignment you will be able to:

1. State the major portions of the Water Pollution Control Act (FWPCA)
2. State the major section of the Rivers and Harbors Act of 1899
3. Conduct a pollution investigation
4. Describe the procedures for conducting pollution sampling

1. Under the Refuse Act of 1899, illegal discharges would be those originating from ________.

   A. streets and sewers
   B. vessels and shore establishments
   C. vessels only
   D. shore establishments only

2. What is the definition of the term "refuse" as used in the Refuse Act of 1899?

   A. Any unnatural substance
   B. Only logs and substances that drift
   C. Only gasoline and chemicals
   D. Only those items which can obstruct a channel or river

3. In accordance with the Oil Pollution Act of 1961, where must you record the discharge of oil and the ballasting of tanks?

   A. Ship's Log
   B. Engineer's Log
   C. Tankerman's Log
   D. Oil Record Book

4. In what waters is the discharging of oil in harmful quantities prohibited by the Federal Water Pollution Control Act, as amended?

   A. Waters of the U.S., the adjoining shore lines, the territorial sea, and the contiguous zone
   B. Waters of the U.S. and the adjoining shore lines of the U.S. only
   C. Waters of the U.S. only
   D. Waters of the U.S. up to an area 50 miles adjoining the U.S. shore lines

5. In accordance with the Federal Water Pollution Control Act, as amended, who is liable for removal of an oil discharge?

   A. Coast Guard
   B. Environmental Protection Agency
   C. State Pollution Agency
   D. Polluter

6. If you receive a report of pollution over the telephone, which information should you always attempt to find?

   A. Nearest yacht basin
   B. Nearest bathing beach
   C. Caller's opinion as to the source of the pollution
   D. Existence of either high tide or low tide

7. About what, if anything, must you always advise a suspect who could be responsible for a pollution case before questioning him?

   A. That anything he says may be used against him in court
   B. That he must pay for removal operations
   C. That he may be liable for damages
   D. Nothing. Just obtain his statement

8. What is the minimum amount of pollutant that must be collected by a Coast Guardsman for use as evidence in a pollution case?

   A. 1 gallon
   B. 2 quarts
   C. 1 quart
   D. 1 pint

9. Which item must be recorded on all pollution samples?

- A. Date of discharge
- B. Time of discharge
- C. Time sample was taken
- D. Name of person in charge of vessel or facility

10. Unless the cap liners in pollution sample bottles are glass, metal, or teflon, they must be completely wrapped with______________.

- A. wax paper
- B. aluminum foil
- C. plastic
- D. cheesecloth

ANSWER KEY

LESSON 2

Second Assignment

Item	ANS	Page	Item	ANS	Page
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3	A	7-7	4	D	7-6
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First Assignment

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Second Assignment

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DEPARTMENT OF TRANSPORTATION

COAST GUARD

BOATING SAFETY TRAINING MANUAL

1980 1981

COMDTINST M16750.4B

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

MAILING ADDRESS: G-BEL-3
U.S. Coast Guard
Washington, D.C. 20593
Phone: (202) 426-4176

COMDTINST M16750.4B
5 NOV 1980

COMMANDANT INSTRUCTION M16750.4B

Subj: The Boating Safety Training Manual

1. PURPOSE. This Manual Instruction establishes policy and prescribes responsibilities and standards for the training of personnel assigned to Boating Safety law enforcement duties.

2. DIRECTIVES AFFECTED. The Boating Safety Training Manual, COMDTINST M16750.4A, is hereby cancelled.

3. DISCUSSION. This Manual Instruction is to be used for Boating Safety training. It supplements Coast Guard directives and the Boarding Manual, CG-253, which should be referred to for other than training purposes. This manual is to be provided to each student for his or her personal use and retention. This Manual Instruction may be supplied to requesting state and federal agencies consistent with Coast Guard supply and demand.

4. ACTION. District commanders and unit commanding officers shall insure that personnel performing Boating Safety instructor duty shall become familiar with this Manual Instruction. This Manual Instruction shall be used for the Boating Safety 32-hour training course.

5. CHANGES. This Manual Instruction will be issued annually; any changes in the interim shall be issued as consecutively numbered changes.

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**(National Boating Safety School 600)

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6. FORMS. Forms authorized for use by this manual may be ordered from Supply Center Brooklyn, using procedures and stock numbers as contained in Coast Guard Catalog of Forms (CG-218).

VW Driggers

V. W. DRIGGERS
Acting Chief, Office of Boating, Public and Consumer Affairs

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CHAPTER 1: BOATING SAFETY

A. The recreational boater is Coast Guard SAR's biggest customer. Over 80% of SAR sorties involves assistance for over 60% of the entire SAR program's sortie hours.

B. By 1985 there will be 79 million boaters using 18 million boats on U.S. waters. In 1978, with 13.6 million recreational boats on the water, 1,321 boaters lost their lives in boating accidents. Many of those fatalities could have been prevented through timely enforcement of the boating laws.

C. One hundred and twenty-nine lives were lost because of overloaded or improperly loaded boats. Another 13 persons died because they were sitting on the transom or gunwale and capsized a boat. One hundred and nine persons lost their lives through falls. If PFDs had been worn or immediately available most of these persons would be alive today. Rules of the road violations, high speed, improper navigation lights, improper lookout, have all been the cause of boating deaths. Simple operator negligence or carelessness killed 59 persons.

D. Fires and explosions claimed 03 lives and destroyed 3.5 million dollars worth of property.

E. Boating safety laws are enforced to save lives. It is a SAR preventive program and the time and effort put into recreational boating safety enforcement now saves Coast Guard SAR time and effort later.

CHAPTER 2: JURISDICTION

A. GENERAL DEFINITION

1. For purposes of this course, "Jurisdiction" means the right of the government to regulate conduct. As between agencies of the government (such as the Coast Guard, National Marine Fisheries Services, etc.) jurisdiction is the power of a **particular** agency to administer and enforce the law. Jurisdiction includes the authority to legislate, the power to require compliance with the laws, and in the absence of such compliance, to punish. Thus, Congress exercises its jurisdiction by enacting laws. Law enforcement agencies such as the Coast Guard possess jurisdiction to implement and enforce federal laws. The final role is that of the Federal Courts, which have jurisdiction to punish lawbreakers detected by the enforcement agencies.

B. ELEMENTS OF JURISDICTION

1. In Coast Guard law enforcement, jurisdiction is divided into three elements: (1) **jurisdiction as to offense**, (2) **jurisdiction as to place**, and (3) **jurisdiction as to person or thing**. Each of these elements must be present for a law enforcement official (Coast Guard officer, warrant officer, or petty officer) to act legally, and each of the elements must be specifically proven in Federal Court to enable the U.S. Attorney to conduct a successful prosecution. What is meant by this is that a Coast Guardsman in carrying out his law enforcement duty must be reasonably certain that he is exercising his authority at a proper **location** (place), that he is exercising it upon a proper person (or thing -for example, in seizing a vessel) and that he is exercising this enforcement power on an act or omission upon which he is authorized to act. Generally the law which authorizes the law enforcement official to act will also give him much of the information necessary to determine that the elements of jurisdiction are met. For example, a Federal statute dealing with assault reads, in part, as follows: "Whoever, within the special maritime and territorial jurisdiction of the United States, is guilty of an assault shall be punished as follows ..."

2. The statute by its terms is not limited to a particular class of persons such as crew members, boat operators, etc., but to anyone. The statute then tells us **where**—within the special maritime and territorial jurisdiction of the United States. (This term will be defined next in this Chapter.)

QUESTION: Will all laws with which I'll be dealing be this clearly defined?

2.B.2.(Continued)

ANSWER:	Not all. Many laws as written are understandable to the average person. But many are necessarily complex, and you will need advice from time to time to resolve problems as to their proper application. Frequently a law will be expanded upon in the Code of Federal Regulations.

C. DEFINITION OF TERMS

1. One of the most complicated aspects of Federal law enforcement involves the question of geographical jurisdiction--that is, where does a particular law take effect? Of course we can generally determine the basic question for example, of where the three-mile or twelve-mile lines lie, or whether a particular place should be called land versus sea, but the matter unfortunately cannot end there. Unlike the state governments, which have almost unlimited power to legislate over the entire territory which they govern, the Federal government under the Constitution's distribution of power, has to act only within its sphere of authority. This will explain, for example, why many Federal laws are limited to the special territorial and maritime jurisdiction or to the navigable waters of the United States.

2. Each Federal law must be reviewed individually to determine what its geographical sweep is. Some laws apply anywhere. An illustration would be the statute that prohibits assaulting or forcibly obstructing a Coast Guard officer or enlisted man in the performance of his duties or on account of those duties. This law would be in effect anywhere a Coast Guardsman might be so assaulted or obstructed in respect to his official functions. For example, violations of this law could occur on the high seas, on navigable waters of the United States, or on shore in this country (so long as the assault was related to the performance of a duty). Indeed, the statute could even be violated in a foreign country (e.g., if a U.S. merchant mariner assaulted a Coast Guardsman attached to a Merchant Marine Detail because of some official action of the Coast Guardsman). In this last case, however, international law would prevent arrest on the spot by the Coast Guardsman, and the matter could either be brought to the attention of the local foreign authorities for prosecution, or referred to the U.S. Department of Justice for prosecution upon the assailant's return to the United States.

3. Other Federal laws apply only to the special territorial and maritime jurisdiction of the United States. An illustration of this is the basic Federal assault statute (in which the victim need not be a Federal official). This law, then, would be violated in every assault on board a U.S. vessel on the high seas (beyond three miles from shore) or on the

2.C.3.(Continued)

Great Lakes. The law might also be violated in cases of assaults on Federal reservations, so long as the Federal government had exclusive jurisdiction (not concurrent with the state) over the particular piece of real estate involved.

4. Still other laws of the United States apply only to the navigable waters of the United States. For example, the Regatta Act is so limited. As a variation, the Refuse Act of 1899 applies to navigable waters of the United States and any tributary of those waters.

D. LOW WATER MARK

1. The low water mark referred to in various jurisdictional definitions is the line of the water on the coast, beach or banks at the lowest tide normally and serves as the baseline from which the territorial sea is established.

E. TERRITORIAL SEA

1. With respect to the United States, "territorial seas" means the waters within the belt, 3 nautical miles wide, that is adjacent to its coast and seaward of the territorial sea baseline. Where bays and estuaries are involved, then under the principles of international law, the nation exercises dominion over the seas not only within the three mile limit from its shores, but also between headlands and three miles outside of a line drawn tangent to the headlands. When adjacent to the United States, all rocks, shoals, and mud lumps or flats which are exposed by mean low water are also considered territory of the United States together with the waters extending three miles from the mean low-water marks or line (Figure 2-1). The three mile limit referred to above, although adhered to for the present by the United States, is not completely accepted by all nations of the world as the outer limit of the territorial waters of a nation. The claims of other nations as to the limit of territorial seas range from three to 200 miles. In recent years attempts have been made to fix a uniform limit on the extent of territorial waters by agreement between nations concerned. However, these attempts have met with no success, and each nation remains free to claim as much or as little jurisdiction over marginal seas as it deems necessary in its national interest.

QUESTION: Is there no limit to the distance from shore a country can claim as territorial waters?

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2.E.1.(Continued)

ANSWER:	At the present time, this is true. The U.S. has claimed a zone of three nautical miles as territorial sea. For some purposes, however, such as customs and fisheries law enforcement, we exercise jurisdiction further out to sea.

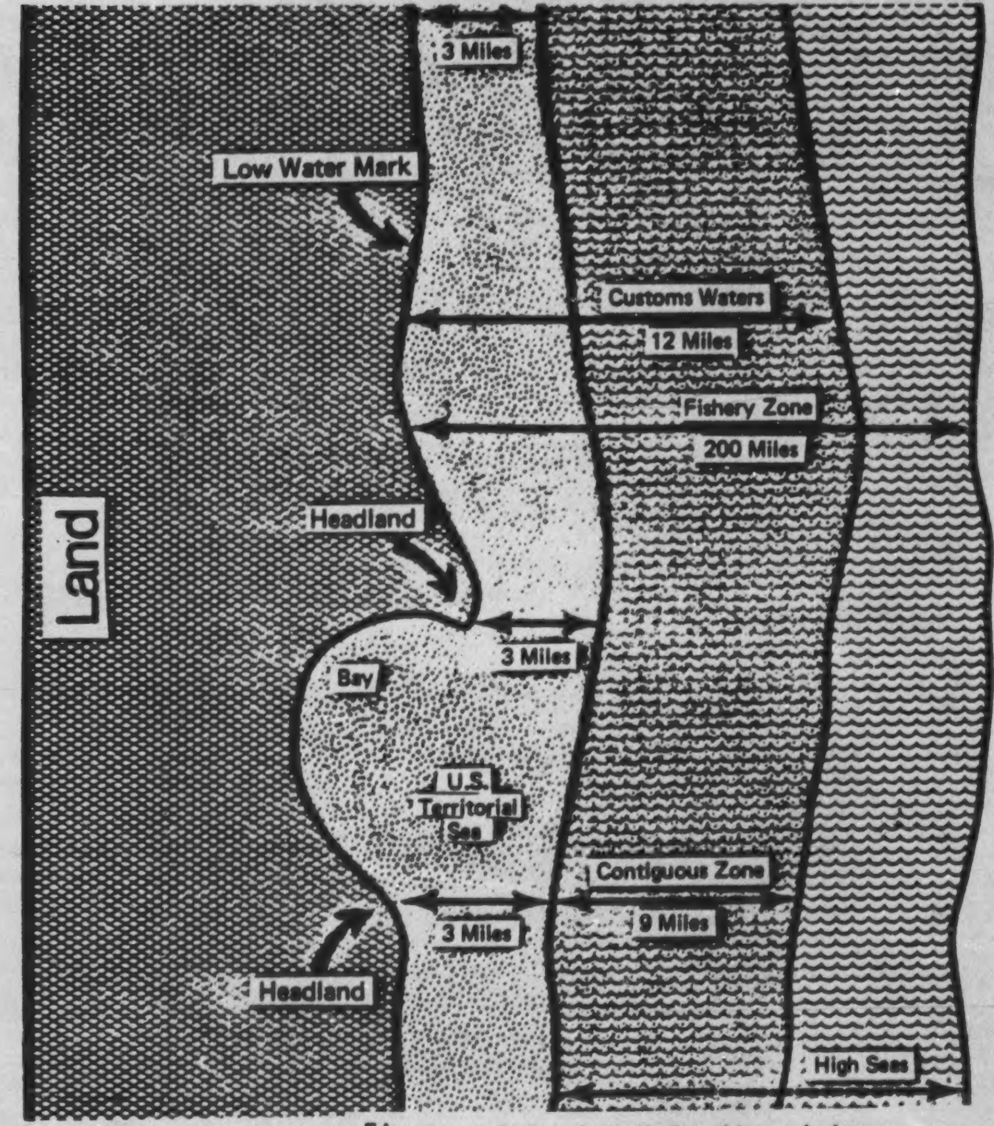
3 Miles
Low Water Mark
Customs Waters
12 Miles
Fishery Zone
200 Miles
Land
Headland
3 Miles
Bay
U.S. Territorial Sea
Contiguous Zone
9 Miles
3 Miles
Headland
High Seas

Figure 2-1 — Jurisdictional boundaries.

F. CUSTOMS WATERS

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2.F.(Continued)

1. **Customs Waters** is a term used in the enforcement of the Customs Laws. Every nation has the privilege of asserting limited jurisdiction outside her territorial waters, when such jurisdiction is needed for self-protection or other legitimate reasons. Since 1799 the United States has asserted rights to a band for water, **12 nautical miles wide from the baseline**, for the purpose of boarding vessels in the enforcement of specific Customs Laws.

G. FISHERY CONSERVATION ZONE

1. There is established a zone contiguous to the territorial sea of the United States to be known as the fishery conservation zone. The inner boundary of the fishery conservation zone is a line coterminous with the seaward boundary of each of the coastal states, and the outer boundary of such zone is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the territorial sea is measured.

H. NAVIGABLE WATERS OF THE UNITED STATES

1. Up to this point, we have considered the matter of jurisdiction as it is applied to our international coastal boundaries. There are, however, other classifications of waters to which United States jurisdiction applies which have been defined in the statutes and with which the Coast Guardsman must be aware. The term **"Navigable Waters of the United States"** includes bays, sounds, rivers, canals, and lakes which are connected with the ocean or the Great Lakes. In addition, bodies of water which, while not connecting with the open sea, may connect two or more states, or a state and a foreign country, are navigable waters of the United States. Many statutes setting up requirements which are enforced by the Coast Guard apply on the navigable waters of the United States.

I. STATE WATERS

1. **State Waters** are those waters which are confined entirely within a single state and do not form a continuous channel for commerce with foreign countries or among the states. State waters are those waters which Congress or the Federal courts have specifically declared to be non-navigable waters of the United States.

QUESTION: Does this mean that if a body of water is contained **solely** within a state, but interstate or foreign commerce is conducted

2.I.1.(Continued)

on this body of water, it can come under Federal jurisdiction as well?

ANSWER:	Yes. If the body of water in question, is in fact considered state waters, meaning that there is no actual Federal link with the body of water, then the state will retain exclusive jurisdiction. If the waterway is now or has historically been part of an avenue of commerce and transportation between states, though it is entirely within one state, it will be part of the navigable waters of the U.S. Similarly, if the body of waters could at reasonable cost be made navigable for transportation of commerce it may also be within Federal jurisdiction.

With regard to state waters the individual states of the Union have territorial rights. These rights are asserted for police purposes, public safety, for governing conduct of persons who may be present within the state, and generally for any purposes not reserved to the Federal government by the Constitution. **Keep in mind that some waters are regulated by both state and Federal law**. An example of this is the Intracoastal Waterway as it passes through a particular state. That portion of the waterway contained within a state is both a Federal waterway and a state waterway. Although there is thus an overlapping of jurisdiction between the states and the Federal government, there is not necessarily any conflict in this dual or concurrent jurisdiction since in most cases, the regulation of each will be in its own sphere. Generally, the states have cognizance over criminal acts committed within their waters because the United States statute defining the special maritime and territorial jurisdiction of the United States **excludes all waters, except the high seas, within the jurisdiction of a state**. Since many criminal statutes of the United States have for their scope of application the special maritime and territorial jurisdiction of the United States, it follows that jurisdiction over these crimes rests with the states. The Federal government, of course, exercises complete jurisdiction in those instances where a constitutional power is involved such as the regulation of commerce, marine inspection laws and navigation laws. With the advent of the Federal Boat Safety Act of 1971, instances in which both the Federal and state governments may take jurisdiction are more numerous than they once were. As will be noted in Chapter 3, the Federal Boat Safety Act of 1971, in an effort to promote safety and uniformity of enforcement in motorboating, has encouraged the states to enter the field of regulation and numbering of motorboats. Concurrent jurisdiction between the Federal and state governments should present no problem to the law enforcement officer, since it is governed by

2.I.1.(Continued)

simple principles: **The state authority enforces state law, the Coast Guard enforces Federal law, and when Federal and state laws both cover the same subject matter, either may enforce with the first on the scene retaining jurisdiction to the completion of the case.**

QUESTION:	Is it good policy to let the state have jurisdiction in these waters whenever possible?
ANSWER:	Yes, since the Federal government's resources are limited. Additionally, the states do have certain powers in this area under the U.S. Constitution.

J. HIGH SEAS

1. For most purposes the **High Seas** are defined as all parts of the sea that are not included in the territorial sea or in the internal waters of a country. Since in the United States the territorial sea extends from the low-water mark on the shore (or a baseline enclosing certain bays) a distance of three nautical miles, the high seas begin at that three-mile limit. Over the territorial sea, the United States has complete jurisdiction, except for the right of innocent passage of foreign vessels, or vessels claiming "force majeure". The high seas belong to no single nation. They are international waters and the doctrine of "freedom of the seas" applies. Ships of all nations may travel the waters of the high seas, and with certain exceptions they are accountable only to the country whose flag they fly. In general, the master of a vessel is not expected to know the law of any country but that of his own vessel, and he is not usually required to observe any other law so long as he remains on the high seas. A portion of the high seas is claimed by some nations as a contiguous zone. In the case of the United States, this zone is nine-miles wide. Under International law, foreign vessels on the high seas are subject to some United States laws in that belt of sea. Customs laws are examples.

2. Except for these narrow belts close to the shore, or such other portions of the high seas as are covered by specific treaties, the Coast Guard cannot unilaterally enforce any domestic law of the United States against foreign vessels on the high seas. (Piracy and the slave trade, however, can be suppressed **anywhere** on the high seas by forces of any nation, by international understanding.) However, if hot pursuit is properly commenced either in United States territorial waters or the contiguous zone (for a contiguous zone offense), the pursuit may be continued and arrest or seizure effected on the high seas but not in another nation's territorial sea.

3. It is important to remember that the concept of the high seas may arise in other respects. For example, the line dividing the Inland Rules of Navigation from the International Rules of Navigation is sometimes confused with the line at which the high seas commence under international law. The term high seas also comes into play in the Loadline Act, but again, it is not being used in the strict sense of defining the international law limits of United States jurisdiction over foreign shipping.

QUESTION:	Are the customs waters or the Fishery Conservation Zone (FCZ) included within the high seas?
ANSWER:	Yes, however, within these portions of the high seas the United States is permitted to exercise a degree of control over foreign vessels.

K. GREAT LAKES AND NORTHERN BOUNDARY WATERS

1. **The Great Lakes** are a mixture of state, Federal and Canadian jurisdictions and are considered "high seas" for purposes of freedom of navigation and criminal law enforcement. The boundary line between Canadian and United States waters, developed in accordance with treaties, is found on the various nautical charts of the Great Lakes. Canada exercises complete sovereignty on her waters, with the result that no hot pursuit arrest, seizure, or search may be made in Canadian waters. Coast Guard vessels may take passage on Canadian waters under the general right of free navigation and, by treaty, Coast Guard vessels and planes may conduct search and rescue operations in Canadian waters.

L. HOT PURSUIT

1. **"Hot Pursuit"** is an expression of the right of a law enforcement vessel or official to pursue from an area in which jurisdiction exists, to an area wherein it would not otherwise exist. The authority to pursue from territorial waters or other waters under Federal jurisdiction to shore or on land, is given to the Coast Guard officers, warrant officers, and petty officers by 14 USC 89. **International practice accords the right to pursue foreign vessels onto the high seas, up to the territorial limits of another nation if the pursuit began within the U.S. jurisdiction ... and if contact is not lost during the chase.** Radar contact is considered contact. Contact may be maintained by more than one vessel or plane but it must be continuous. It must be remembered that hot pursuit extends the jurisdiction only to the extent that it originally existed.

2.L.1.(Continued)

Thus, if a vessel were in customs waters where she could only be examined and seized for customs purposes this would also be the extent of the jurisdiction when the vessel was caught. An American vessel is under the jurisdiction of the United States at all times, although it cannot be pursued into and taken in the territorial waters of another country without the specific consent of that country.

QUESTION:	Can the U.S. pursue and apprehend a U.S. vessel proceeding into Canadian waters on the Great Lakes?
ANSWER:	No, because the Canadian territorial waters begin as soon as you cross the Canadian boundary on the Great Lakes.

M. INNOCENT PASSAGE AND FORCE MAJEURE

1. Even though the coastal waters are high seas, ships of all nationalities are subject to the laws of the United States when they are in the territorial waters unless they are only passing through them or have been forced to seek shelter in distress. The first exception mentioned is frequently referred to as the right of "**innocent passage,**" a recognized principle in international law. **Under this principle, the laws of the territorial sovereign are not enforced upon the foreign vessel passing through her waters although the local sovereign may establish reasonable rules and regulations in the interests of safety which must be obeyed by the vessel exercising the right of innocent passage.** If the foreign vessel takes any action inconsistent with the right of innocent passage such as hovering or fishing, she is no longer passing, but then is considered to be in the same status as a foreign vessel in port or harbor. Anchoring or other maneuvers, so long as they are not inconsistent with the manner in which navigation through the area is ordinarily accomplished is not inconsistent with the right of innocent passage, but anchoring or maneuvering so as to carry out actions or purposes having nothing to do with navigation through the area will destroy the right of innocent passage. The second exception mentioned is referred to as the doctrine of "force majeure." Under this doctrine, if **a foreign vessel is forced into the territorial waters of a nation by storm, or by the actions of mutineers, or by damage, or by the necessity for provisioning because of circumstances beyond its control, it enjoys an immunity from some local laws.**

QUESTION:	Does "force majeure" mean the vessel is exempted from some laws of the country?

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2.M.1.(Continued)

ANSWER:	Yes. However, if a vessel claiming "force majeure" is the source of gross disorders in a harbor, local and Federal authorities may be asked to intervene to restore order.

The circumstances leading to the claim of immunity must have arisen while the vessel was engaged in a legitimate voyage and not one for the purpose of getting around the laws of the country into whose waters the vessel is driven.

N. GENERAL

1. We have just discussed the meaning of "jurisdiction as to place." We will now complete the section on jurisdiction by covering the other two aspects of the subject.

O. JURISDICTION AS TO PERSON

1. Most penal statutes enforced by the Coast Guard make some person or vessel liable if these statutes are violated. When a violation takes place, and it is determined that the law is one which the Coast Guard is empowered to enforce and that the violation has taken place at a location at which the jurisdiction of the United States applies, and finally, that the **person or vessel** committing the violation can be apprehended or seized, respectively, within that area of jurisdiction, then jurisdiction is complete, and the enforcement official may proceed to take the first step in the compliance process, be it arrest of a person or seizure of a vessel. In other words, the presence of the offending person or vessel within the territorial limits of application of the law being applied is sufficient to give you jurisdiction over the offender for the purpose of arrest or seizure. This situation will be the usual case which confronts the enforcement official, but, as with most usual situations, there are exceptions to the general rule as well as extensions.

P. JURISDICTION AS TO ACT

1. The last element of jurisdiction with which we are concerned is that of **jurisdiction over the offense or act**. This is probably the simplest of all since very little interpretation is necessary. Basically, as a Federal law enforcement official, the Coast Guardsman will be concerned only with violations of Federal laws. Unless there is a Federal law or treaty or regulation which governs the conduct of the person on the vessel involved, then there is no authority for the Coast Guard to take action. **This means that the enforcement officer must know that he has authority to deal with a situation by making certain that a Federal**

2.P.1.(Continued)

statute, treaty, or regulation is applicable before he takes the action. The subject matter of the laws with which the Coast Guardsman may be concerned extends to many different fields, and among other things may be mentioned in the duties of the Coast Guard:

a. To prevent, detect, and suppress violations of the laws of the United States.

b. To protect the revenues of the United States.

c. To enforce the navigation laws of the United States.

d. To enforce the provisions of certain treaties.

e. To inspect and certificate merchant vessels of the United States.

f. To license personnel of the Merchant Marine.

g. **To enforce the provisions of the Motorboat and Federal Boating Acts.**

The statutes and regulations, of course, elaborate upon these duties and indicate the precise extent of the authority which may be exercised by the enforcement official, and the acts or situations to which they apply.

Q. CHAPTER QUIZ

1. What are three elements of jurisdiction?

2. What is the difference between territorial seas and territorial waters?

3. Define state waters.

4. When both Federal and state law cover the same subject matter, who may enforce the law?

5. Tell if the following are examples of "hot pursuit," "innocent passage" or "force majeure."

   a. A vessel is hailed to stop in territorial waters and fails to stop. The Coast Guard, maintaining contact, pursues the vessel and stops the vessel on the high seas.

2.Q.5.

b. A hurricane forces a Russian vessel into our territorial waters.

[redacted]

c. A Japanese freighter leaves San Francisco for Japan on her return trip.

6. Can a Coast Guardsman enforce state laws?

CHAPTER 3: MOTORBOAT LAWS AND THE BOATING SAFETY ACT OF 1971

A. INTRODUCTION

1. In order to enforce the law, one must be familiar with it. This chapter won't make you a "legal beagle" but it can and will acquaint you with some of the material you will need to know to answer questions and carry out your responsibilities in boat law enforcement.

2. Before studying the Motorboat Act of 1940 and more recent legislation, it is important that you read these definitions.

B. DEFINITIONS OF TERMS

1. **Commandant** means the Commandant of the Coast Guard.

2. **Vessel** means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

3. **Undocumented vessel** means any vessel which is not required to have and does not have a valid marine document.

4. **Documented vessel** means one which has or is required to have documents issued by the Coast Guard.

5. **Gross Tonnage** means the internal cubic capacity of all permanently enclosed spaces on a vessel expressed in tons of 100 cubic feet.

6. **Net tonnage** means the internal cubic capacity of all permanently enclosed spaces on a vessel expressed in tons of 100 cubic feet, less crew and operating space.

7. **Registered Length** of a vessel means the length measured on the top of the tonnage deck from the fore part of the outer planking or plating at the bow, to the after part of the sternpost of screw steamers and after part of the rudder of other vessels. A vessel's registered length appears on all documents and is NOT acceptable for Coast Guard use in determining the length of a vessel under the Motorboat Act.

8. **The Length of a Motorboat** means measured from end to end over the deck, excluding the sheer. This is the only method of measurement acceptable for determining the length of a motorboat.

9. **Sheer of a Vessel** means the longitudinal upward curve of a deck and the amount by which the deck at the bow is higher than the stern.

10. **Motorboat** means any vessel 65 feet in length or less, which is propelled by machinery, including steam, except tugs and towboats (not a boat under FBSA definition).

11. **Motor Vessel** means any vessel more than 65 feet in length, which is propelled by machinery other than steam.

12. **Open Boat** as related to exemptions from ventilation, means those motorboats or motor vessels with all engine and fuel tank compartments, and other spaces to which explosive or flammable gases and vapors from these compartments may flow, open to the atmosphere and so arranged as to prevent the entrapment of such gases and vapors within the vessel.

13. **Approved** – this term means approved by the Commandant of the Coast Guard unless otherwise stated.

14. **Personal Flotation Devices** refer to Coast Guard approved life preservers, buoyant vests, ring buoys, marine buoyant device, or buoyant cushions in good and serviceable condition.

15. **State of Principal Use** – a motorboat is considered in use when it is waterborne whether moored or underway. Therefore, in considering a boat moored at a pier in state X for five days of each week and then operated on the waters of state Y on weekends, state X would be the state of principal use.

16. **Passenger** means every person carried on board a vessel other than--

    a. the owner or his representative;

    b. the operator;

    c. bona fide members of the crew engaged in the business of the vessel who have contributed no consideration for their carriage and who are paid for their services; or

    d. any guest on board a vessel which is being used exclusively for pleasure purposes who has not contributed any consideration, directly, or indirectly, for his carriage.

17. **Passenger for Hire** means a person carried on board a passenger-carrying vessel for consideration.

18. **Navigable Waters** of the United States are those waters which are in fact navigable and which by themselves or their connection with other waters, form a continuous channel for commerce with foreign countries or among the states. In general, this term can be applied to waters which have been navigable in the past, even though not navigable in fact at the present time.

19. **Rules of the Road** means the statutory and regulatory rules governing navigation of vessels. These rules are published by the Coast Guard in pamphlet form as follows:

    a. Rules of the Road – Great Lakes (CG-172)
    b. Rules of the Road – Western Rivers (CG-184)
    c. Navigation Rules – International Inland (CG-169)
    d. Navigation Rules – Colregs Demarcation Lines (CG-169-1)

20. **Boat** means any vessel manufactured or used primarily for non-commercial use; or leased, rented, or chartered to another for the latter's non-commercial use; or engaged in the carrying of six or fewer passengers.

21. **Use** means to operate, navigate, or employ.

22. **Owner** means a person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein which entitles him to such possession.

23. **Manufacturer** means any person engaged in the manufacture, construction, or assembly of boats or associated equipment; or the manufacture or construction of components for boats and associated equipment to be sold for subsequent assembly; or the importation into the United States for sale of boats associated equipment or components thereof.

24. **Associated Equipment** means any system, part or component of a boat as originally manufactured or any similar part or component manufactured or sold for replacement, repair or improvement of such system, part or component; any accessory or equipment for, or appurtenance to a boat; any marine safety article, accessory, or equipment intended for use by a person on board a boat excluding radio equipment.

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25. **State** means a state of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia.

26. **Eligible State** means one that has a state boating safety program which has been accepted by the Secretary.

27. **Secretary** means the Secretary of the Department in which the Coast Guard is operating.

28. **Negligent Operation** means operation of a vessel so as to endanger the life, limb or property of any person.

C. MOTORBOAT ACT OF 1940, AS AMENDED

1. Since the Act itself is lengthy, we will summarize the Act in plain language instead of printing it word for word. The Motorboat Act of 1940, as amended, contains the statutes setting equipment and personnel requirements for motorboats and motorboats carrying passengers for hire.

2. In order to provide equipment commensurate with the size of the craft, the Act divides motorboats into four classes according to length:

   a. Class A – Less than 16 feet in length
   b. Class 1 – 16 feet to less than 26 feet in length
   c. Class 2 – 26 feet to less than 40 feet in length
   d. Class 3 – 40 feet to not more than 65 feet in length.

3. In addition to the section that classified motorboats according to length, this Act established requirements for lights, whistles, bells, personal flotation devices (formerly referred to as LSD), fire extinguishers, flame arresters, and compartment ventilation for these different classes. It also authorized the Commandant of the Coast Guard to establish precise regulations dealing with the manufacturing of personal flotation devices, flame arresters and fire extinguishers. These three types of equipment must be Coast Guard approved and have an approval number on the label before they are acceptable to boarding officers.

QUESTION: Does this mean that only these three types of equipment will have Coast Guard approved on the label?

ANSWER: Yes. The other equipment is required to be aboard, but not to be Coast Guard approved.

4. This approval will be explained later in the course. The requirements for passenger carrying vessels are more strict than for pleasure vessels and will be explained later in the course.

5. The Act of 1940 in Section 17 authorizes the Commandant of the Coast Guard to establish all necessary regulations required to carry out in the most effective manner all the provisions of the Act, and such regulations shall have the force of law. This Act also authorizes the Commandant to penalize operators of motorboats who violate these laws.

D. SUMMARY OF THE MOTORBOAT ACT OF 1940

1. This, then, is basically the Motorboat Act of 1940 as amended. In general, this law set up the different classes of motorboats and the Coast Guard minimum equipment for each class. The Motorboat Act of 1940 was aimed mostly at the boater, and the boater was the one responsible for the equipment. As you will see later in this chapter, the Act of 1971 deals also with the manufacturer. This chapter is concerned mainly with the laws and for this reason does not go into detail about equipment requirements. The equipment requirements for the classes are covered in chapter 6 and are also listed on the inside cover of the booklet containing CG-4100 forms.

E. FEDERAL BOATING ACT OF 1958

1. Most provisions of this Act were repealed by the Federal Boat Safety Act of 1971. Although most of the requirements of the 1958 Act are included in the latter Act and mentioned later in this chapter, we feel that due to its impact on boating safety programs, especially between the Federal government and state programs, it is worth mentioning briefly.

2. In substance, this Act required the operator of any boat involved in an accident causing death, personal injury, or property damage to stop, render assistance, offer identification, notify the authorities, and file a written report.

3. The Act provided for the Coast Guard to publish statistics based upon information contained in the accident reports. In addition, the Coast Guard was to publish any findings about the cause of accidents or recommendations about the prevention of accidents.

4. This Act amended the Motorboat Act of 1940, to permit the imposition of a civil penalty by the Coast Guard for negligent operation.

5. It required the numbering of all undocumented vessels on the navigable waters of the United States, propelled in whole or in part by machinery of more than 10 horsepower, regardless of length. These numbers were to be issued for periods not exceeding three years. Boats will be numbered according to the state of principal use.

6. The intent of the 1958 law was the promotion of boating safety and to provide coordination and cooperation between the states and with the Federal government in the interest of uniformity of boating laws.

F. FEDERAL BOAT SAFETY ACT OF 1971

1. The Federal Boat Safety Act of 1971 provides authority for the Secretary of Transportation to **establish minimum safety standards for boats and associated equipment, authorizes financial assistance to the states, directs that a Boating Safety Advisory Council be established, provides for the numbering of all undocumented vessels equipped with propulsion machinery**, repeals most of the Federal Boating Act of 1958 and amends the Motorboat Act of 1940.

G. SECTION 12

1. This Act contains the following "Prohibited Acts."

   a. No person shall manufacture, construct, assemble, introduce, or deliver for introduction in interstate commerce, or import into the United States, or if engaged in the business of selling or distributing boats or associated equipment, sell or offer for sale, any boat, associated equipment, or component thereof to be sold for subsequent assembly unless it conforms with regulations prescribed under this Act, or it is intended solely for export, and so labeled, tagged, or marked on the boat or equipment and on the outside of the container, if any, which is exported.

   b. No person shall affix, attach, or display a seal, label, plate, insignia, or other device indicating or suggesting compliance with Federal safety standards, on, in, or with a boat or of associated equipment, which is false or misleading.

c. No manufacturer who discovers a defect in a boat or associated equipment applicable to a standard set forth in this Act shall fail to notify the purchaser of subject boat or equipment as set forth in Section 15 of this Act.

d. No person shall be subject to any penalty contained in this section if he establishes that he did not have reason to know in the exercise of due care that a boat or associated equipment does not conform with applicable Federal boat safety standards, or who holds a certificate issued by the manufacturer of the boat or associated equipment to the effect that such boat or associated equipment conforms to all applicable Federal boat safety standards, unless such person knows or reasonably should have known that such boat or associated equipment does not so conform.

e. No person shall use a vessel in violation of this Act or regulations issued thereunder.

f. No person may use a vessel, including one otherwise exempted from this Act, in a NEGLIGENT manner so as to endanger the life, limb, or property of any person. In addition, violations of this subsection which are GROSSLY NEGLIGENT subject the violator to the criminal penalties prescribed under this Act.

g. No vessel equipped with propulsion machinery of any type and not subject to the manning requirements of the vessel inspection laws administered by the Coast Guard, may, while carrying passengers for hire, be used except in the charge of a person licensed for such service under regulations, prescribed by the Secretary, which pertain to qualifications, issuance, revocation, or suspension, and related matters. This requirement does not apply to any vessel being used for bona fide dealer demonstrations furnished without fee to business invitees. However, if on the basis of substantial evidence the Secretary determines, pursuant to this Act, that requiring vessels so used to be under the control of licensed persons is necessary to meet the need for boating safety, he may promulgate regulations requiring the licensing of persons controlling such vessels the same as for those carrying passengers for hire.

2. These then are "The Prohibited Acts." You should familiarize yourself with them as they are basically the portions of the Act that will be **most frequently violated.**

H. SECTION 13

1. Another requirement authorized under the Act is found in Section 13 and entitled "**Termination of Unsafe Use.**" The section reads as follows: If a Coast Guard boarding officer (boating safety officer) observes a boat being used **without sufficient lifesaving or fire fighting devices** or **in an overloaded or other unsafe condition** as defined in regulations of the Secretary, and in his judgment such **use creates an especially hazardous condition,** he **may** direct the operator to take whatever immediate and reasonable steps are necessary for the safety of those aboard the vessel, including DIRECTING THE OPERATOR TO RETURN TO THE NEAREST SAFE MOORING AND TO REMAIN THERE UNTIL THE SITUATION CREATING THE HAZARD IS CORRECTED OR ENDED. In the enforcement of this section of the Act only commanding officers, officers in charge and personnel holding qualification code BC or BB are authorized to issue orders of termination for unsafe use. The following are enforcement guidelines set by the Commandant of the Coast Guard covering each topic in section 13 of the Act.

2. Coast Guard boarding officers observing a vessel:

   a. **Without sufficient personal flotation or fire fighting devices,** so as to create an especially hazardous condition shall direct the operator to proceed to the closest safe mooring and to remain there until the deficiencies creating the hazard are corrected. He shall give consideration to the desirability and feasibility of escorting the vessel to the closest safe mooring. If in doubt, he should consult with his operational commander as soon as possible.

   b. **In an overloaded condition,** so as to create an especially hazardous condition to life, shall direct the operator to proceed to the closest safe mooring and to remain there until the overloading creating the hazard is corrected. He shall give consideration to the desirability and feasibility of removing passengers and/or cargo within the capabilities of his unit, and escorting the boat to the closest safe mooring. If unable to fully eliminate the overloading or to escort the boat, he shall advise his operational commander as soon as possible and

3.H.2.b.(Continued)

remove as many of the passengers and/or as much cargo as may be feasible. Passengers and/or cargo should be discharged at the closest safe landing as soon as practicable.

QUESTION: What is meant by "especially hazardous" in the above two situations?

ANSWER: The term "especially hazardous" is used by the Commandant of the Coast Guard in these situations to give the boarding officer broad discretion. The key to the term is found in the meaning of the words "especially," which is unusually, and "hazardous," which is dangerous. If a boarding officer observes a violation of the law that causes an unusually dangerous situation, he should use this authority to correct the condition either by termination of use or other action.

c. Boarding officers shall report all terminations of use on Report of Boarding/Notice of Violation Form CG-4100. In the remarks section of this form describe the specific reason, the precise time, and the identity of the boarding officer who ordered the use terminate, as well as the specific instructions which were given to the operator.

d. If the operator complies with the order to terminate unsafe use of the boat he normally will be cited only for the following:

(1) Equipment deficiencies as appropriate.

(2) Use of a vessel in violation of a specific provision of this Act or of the regulations issued thereunder.

QUESTION: What is meant by this?

ANSWER: A determination between the two types of violations is made because of the Motorboat Act of 1940 (basically an equipment law) and the Act of 1971 (equipment and other violations). An example of this would be if a motorboat is stopped and found to have an insufficient number of fire extinguishing devices aboard and is overloaded. The operator of this motorboat would be cited for insufficient equipment (Motorboat Act of 1940) and negligent operation (Boat Safety Act of 1971).

e. If the operator refuses to comply with the order for correction of especially hazardous conditions, he normally will be cited for failure to comply with an order from a Coast Guard boarding officer (33 CFR 177.05), as well as for the specific statutory or regulatory violations which were the basis for the termination order.

f. In aggravated situations and as a last recourse, if required for the protection of life, limb, or property, the operator will be arrested for the violation. Arrest procedures will be discussed in Chapter 12.

I. SECTION 16

1. Section 16 of this Act entitled **RENDERING OF ASSISTANCE IN CASUALTIES** requires the operator of a vessel when involved in a collision, accident, or other casualty, to the extent he can do so without serious danger to his own vessel or persons aboard, to render all practical and necessary assistance to persons affected by the collision, accident, or casualty. He shall also give his name, address, and the identification of his vessel to any person and to the owner of any property damaged. There is a "Good Samaritan" clause to protect these boat operators compelled to comply with this requirement: anyone who, by gratuitously and in good faith rendering at the scene of a vessel collision, accident, or other casualty **without objection of any person assisted, shall not be held** liable for any civil damages as a result of the rendering of assistance or for any act or omission in providing or arranging salvage, towage, medical treatment, or other assistance where the assisting person acted as an ordinary **reasonably prudent man would** have acted under the same or similar circumstances.

J. SECTION 17

1. Section 17 of the Act **requires the numbering of vessels**. This section is more or less taken from the Act of 1958. The one difference is, in this Act all undocumented vessels equipped with propulsion machinery **of any type shall have a number issued by the proper issuing authority in the state in which the vessel is principally used**. You will remember the Act of 1958 required only vessels powered by more than 10HP to be numbered in the state of principal use. Basically, the difference in the new law from the old law is the fact that the new law requires **all vessels** that are undocumented and powered by machinery, no matter what the horsepower, to be numbered.

3.

K. SECTIONS 18 AND 19

1. Sections 18 and 19 establish the **standard numbering regulations** which are set up by the Secretary and the various states. These two sections are listed below as they appear in the actual Act. The important parts to the boarding officer have been **bolded.**

2. **Section 18**

   a. The Secretary shall establish by regulation a standard numbering system for vessels. **Upon application by a state, the Secretary shall approve a state numbering system which is in accord with the standard numbering system and the provisions of this Act relating to numbering and casualty reporting.** A state with an approved system is the issuing authority under the Act. The Secretary is the issuing authority in the states where a state numbering system has not been approved.

   b. If a state has a numbering system approved by the Secretary under the Act of 2 September 1958 (72 Stat. 1754), as amended, prior to enactment hereof, the system need not be immediately revised to conform with this Act and may continue in effect without change for a period not to exceed three years from the date of enactment of this Act.

   c. **When a vessel is actually numbered in the state of principal use, it shall be considered as in compliance with the numbering system requirements of any state in which it is temporarily used.**

   d. **When a vessel is removed to a new state of principal use, the issuing authority of that state shall recognize the validity of a number awarded by any other issuing authority for a period of at least SIXTY DAYS before requiring numbering in the new state.**

   e. If a state has a numbering system approved after the effective date of this Act, that state must accept and recognize any certificate of number issued by the Secretary, as the previous issuing authority in that state, for one year from the date that state's system is approved, or until its expiration date, at the option of the state.

f. Whenever the Secretary determines that a state is not administering its approved numbering system in accordance with the standard numbering system, or has altered its system without his approval, he may withdraw his approval after giving notice to the state, in writing, setting forth specifically wherein the state has failed to meet the standards required, and the state has not corrected such failures within a reasonable time after being notified by the Secretary.

3. **SECTION 19**

a. The Secretary, when he is the issuing authority, may exempt a vessel or class of vessels from the numbering provisions of this Act under such conditions as he may prescribe.

b. When a state is the issuing authority, it may exempt from the numbering provisions of this Act any vessel or class of vessels that has been exempted under subsection (1) of this section or otherwise as permitted by the Secretary.

c. While we are talking about exemptions, one important part of this Act to remember is: "This Act, except those sections where the content expressly indicates otherwise, does not apply to: (1) Foreign vessels temporarily using waters subject to United States jurisdiction; (2) Military or public vessels of the United States except recreational-type public vessels; (3) A vessel whose owner is a state or subdivision of a state such as a city, village, county, etc., which is used principally for governmental purposes, and which is clearly identifiable as such; and (4) Ship's lifeboats."

L. SECTION 20

1. Section 20 is the requirement concerning the **Certificate of Number.** This section requires the certificate of number to be aboard the vessel at all times the vessel is in use, be of pocket size, and be valid for no more than three years. This section also allows the certificate of number for vessels less than 26 feet in length that have been leased or rented to a person for his non-commercial use for less than 7 days to be retained by the owner or his representative at the place the vessel departed or returned to the possession of the owner or his representative. Leased or rented vessels which are not required to have the certificate of number on board shall be identified while in use by documented evidence which

3.L.1.(Continued)

shows that in fact the vessel is leased or rented and complies with such other requirements, as the issuing authority prescribes.

QUESTION:	What about a rented boat that is around 30 feet in length, would it be required to have a certificate of number aboard?
ANSWER:	Yes. The law specifically says vessels LESS THAN 26 FEET, that are rented or leased for less than 7 days need not carry the certificate of number aboard.

2. The owners of vessels numbered under this Act shall furnish the authority issuing the certificate of number a notice of transfer of all or part of their interest in a vessel, or of the destruction or abandonment of the vessel, within a reasonable time thereof, and shall furnish notice of any change of address within a reasonable time.

M. SECTION 21

1. In section 21 the **display of the number** awarded to vessels is discussed. This section prescribes that the awarded number will be painted on, or attached to, each side of the forward half of the vessel for which it was issued; will be atleast three inches in height; will display good contrast in regards to the background color; and will be of block character. Numbering will be discussed in detail in Chapter 5.

N. GENERAL

1. The rest of the Act contains the authority for state boating safety programs, how these state boating safety programs are to operate, and allocation of federal funding to state boating safety programs; establishes a National Boating Advisory Council; gives the United States District Courts injunctive proceedings; and sets the policy for casualty reporting systems. These sections are important in carrying out the primary purpose of the Act; however, they are not of basic importance to the boarding officer because they deal with policy and funding instead of enforcement. They are listed so the boarding officer will have enough knowledge to answer questions from the public.

O. PENALTIES

1. So far we have discussed the major sections of the Act which are of interest to the boarding officer and those other sections of which the boarding officer should possess a basic knowledge. The last items to be

3.O.1.(Continued)

discussed in this chapter are the penalties for violations of the Act. Penalties for violations of this Act are:

[redacted]

a. Any person who WILLFULLY operates, navigates, or employs a vessel in violation of this Act or regulations issued thereunder shall be fined under CRIMINAL PENALTY procedure not more than $1000 for each violation or imprisoned for not more than one year, or both.

b. A CIVIL PENALTY of not more than $2000 for each violation up to $100,000 for a series of violations for violation of the first three requirements in section 12 (Prohibited Acts), and for any other violation of the Act, a fine of not more than $500 for each violation. There are more regulations concerning the penalty procedures for violations of this Act, but they are really of little interest to the boarding officer. If you wish to become more familiar with the penalty procedures authorized in this Act, you should read sections 34 and 35 of the Act. Copies of this Act are available from each district boating safety office.

P. CHAPTER QUIZ

1. Describe and label the four classes of motorboats.
2. What are the reasons, mentioned in the law, that may call for termination because they create an especially hazardous condition?
3. What conditions arise and what actions may be taken, if an operator refuses to comply with the order to terminate?
4. What is the difference in the numbering requirements between the Federal Boating Act of 1958 and Federal Boat Safety Act of 1971?
5. The four exceptions to numbering under the Act of 1971 are?
6. How long may a certificate of number be valid?

CHAPTER 4: THE BOARDING MANUAL

A. INTRODUCTION TO THE BOARDING MANUAL

1. The Boarding Manual (CG-253) presents to the Coast Guardsman the legal requirements of the various type vessels he will encounter in boating safety duty. From this manual the boarding officer can gather the information he needs to perform his duties. This manual contains abbreviated forms of various Federal statutes. As stated these statutes are in abbreviated form and therefore, the manual should be used only with the other Federal publications which explain in detail their various laws. The Boarding Manual is the "bible" to all boarding officers and a copy should be readily available whenever examining vessels.

B. CONTENTS OF THE BOARDING MANUAL

1. The Boarding Manual is divided into ten chapters, covering the following subjects:

    a. The Boarding Officer

    b. Boarding Duties

    c. Boating Safety Enforcement Procedures

    d. Ship's Documents and Papers

    e. Forms

    f. Load Line Regulations

    g. Water Pollution

    h. Equipment and Operational Requirement

    i. Laws and Statutes

    j. Boating Safety Standards

2. The Boarding Manual has appendixes which contain the various requirements for different types of vessels which boarding officers and boating safety officers may normally expect to examine. The appendices contain the following subjects:

    a. Appendix A: Sailing Vessel.

b. Appendix B: American Steamer Yacht.

c. Appendix C: Motor Vessels.

[redacted]

d. Appendix D: Requirements for boats and motorboats motorboats.

e. Appendix E: Requirements for vessels carrying more than six passengers for hire.

f. Appendix F: Guide for examination of equipment.

g. Appendix G: "Federal Boat Safety Act of 1971" as amended.

C. CHAPTER QUIZ

1. Questions a.-c. require a copy of the USCG Boarding Manual CG-253.

   a. Information on fire extinguishers can be found in Chapter __ of the Boarding Manual?

   b. Where would you find information concerning the inspection techniques for ring life buoys?

   c. Find where the information concerning the below items is located:

      (1) Motorboat Operator's License.

      (2) Certificate of Number.

      (3) Elements of Refuse Act Violation.

      (4) General requirements for an undocumented Class 1 motorboat.

CHAPTER 5: DOCUMENTATION, LICENSING, NUMBERING, AND REGISTRATION

A. DOCUMENTATION

1. VESSELS REQUIRED TO BE DOCUMENTED

a. All vessels of 5 net tons or over carrying passengers or merchandise (including owner's cargo), except those vessels specifically exempted by 46 CFR 67.01-11a must be documented. Vessels generally exempted by section 67.01-11a are:

(1) Non-self-propelled boats or lighters used in the harbor of any town or city, and not carrying passengers.

(2) Non-self-propelled vessels used in whole or in part on canals or on the internal waters of a State, or plying in whole or in part on inland rivers or lakes of the United States, not engaged in carrying passengers or in trade with contiguous foreign territory.

(3) Vessels plying upon waters which are wholly within the limits of a State and which have no outlet into a river or lake on which commerce with foreign nations or among the States can be carried on.

b. Certain vessels not carrying passengers or merchandise may, at the option of the owner, be used while undocumented. A few examples of such vessels are research vessels, ice breakers, oil drilling platforms, fire boats, and dredges (but not hopper dredges transporting dredged materials).

c. Vessels used exclusively for pleasure of 5 net tons and over are entitled to documentation.

2. REQUIREMENTS FOR DOCUMENTATION

a. The following are requirements for documentation:

(1) The owner must be a U.S. citizen.

(2) The vessel must be 5 net tons or greater.

(3) Must establish facts of construction and ownership.

3. TYPES OF DOCUMENTS

a. Register.

b. Enrollment and license.

c. Frontier enrollment and license.

d. License.

e. Yacht enrollment and license.

f. Yacht license.

4. EXAMINATION OF DOCUMENTED VESSELS

a. Document will be renewed within last year (except register).

b. Official number and net tonnage will be permanently marked on or carved on the main beam, "3" in height, punch marks will be used on metal beams and painted contrasting color to background. The official number shall be preceded by the abbreviation "NO" and the net tonnage shall be preceded by the word "NET."

c. Except as provided below, the master, or alternate master, signed on the document must be aboard.

(1) Not applicable to yachts (46 CFR 67.29–3a).

(2) Not applicable in the case of two or more vessels owned by or under the complete control and management of the same person or firm navigated within the limits of the harbor of any town or city (46 CFR 67.29-7).

(3) Not applicable to non-self-propelled vessel unless such vessel is required to have on board a certificate of inspection and which is required by that certificate to be manned (46 CFR 67.29-9).

(4) Not applicable to any vessels engaged in towing between ports or places in the United States plying in whole or in part on inland rivers, canals, waterways,

sounds, gulfs, lakes, and harbors, not carrying passengers nor proceeding directly or indirectly to any foreign port or place or to any foreign port or place or to any port or place in noncontiguous territory of the United States (46 CFR 67.29-11).

d. Will show name on each bow using Roman letters at least 4 inches in height (except yachts).

e. Will show name and hailing port on stern, using Roman letters at least 4 inches in height (except yachts).

f. On yachts, the name and hailing port will be displayed on any conspicuous part of the hull in Roman letters not less than 4 inches in height, or in smaller legible and conspicuous letters in the case of a sailing yacht or similar vessel with a small stern.

g. The name and hailing port will be in contrasting color to the background.

h. The marking of the name and hailing port on a board attached to the vessel does not meet the requirements. Individual letters firmly secured in place by means of screws or nails are acceptable.

i. If it is inconvenient to present the document at the documentation office in person, it may be renewed by mail, if desired. No penalty will be incurred for failure to have document on board during the time necessary for the transmission of the document thru the mail to and from the documentation office.

j. Except in the case of a vessel described in A.1.a. if the document is not aboard, write a citation and explain fully in the remarks section of CG-4100, for example, "master states that document was mailed to MIO San Francisco on March 7, 1977 for renewal."

5. **DOCUMENT RENEWAL**

a. All documents are issued by the U.S. Coast Guard, and are renewed annually except the register, which remains in effect so long as the vessel continues of the same rig, build,

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5.A.5.a(Continued)

description, tonnage and ownership as at the time of original documentation.

6. **REGISTERED LENGTH**

a. The registered length of a vessel as appears on the document is not acceptable for determining the class of the vessel for equipment requirements, but may have to be used as a best estimate on the CG-4100 if you cannot measure or otherwise determine the length. **Report** any numbered vessel used commercially 32 feet in length or longer for possible documentation.

7. **VIOLATIONS**

a. Use CG-4100 to write up all documentation violations. Determine the port of documentation and include it on CG-4100 for each violation.

B. LICENSES

1. There are two types of licenses with which the boarding officer will most often come in contact; they are the Motorboat Operator's License and the Ocean Operator or Operator's License.

a. **MOTORBOAT OPERATOR'S LICENSE**

(1) This is a license to operate motorboats, or other uninspected vessels of fifteen gross tons or less propelled by machinery other than steam, while carrying six or less passengers for hire.

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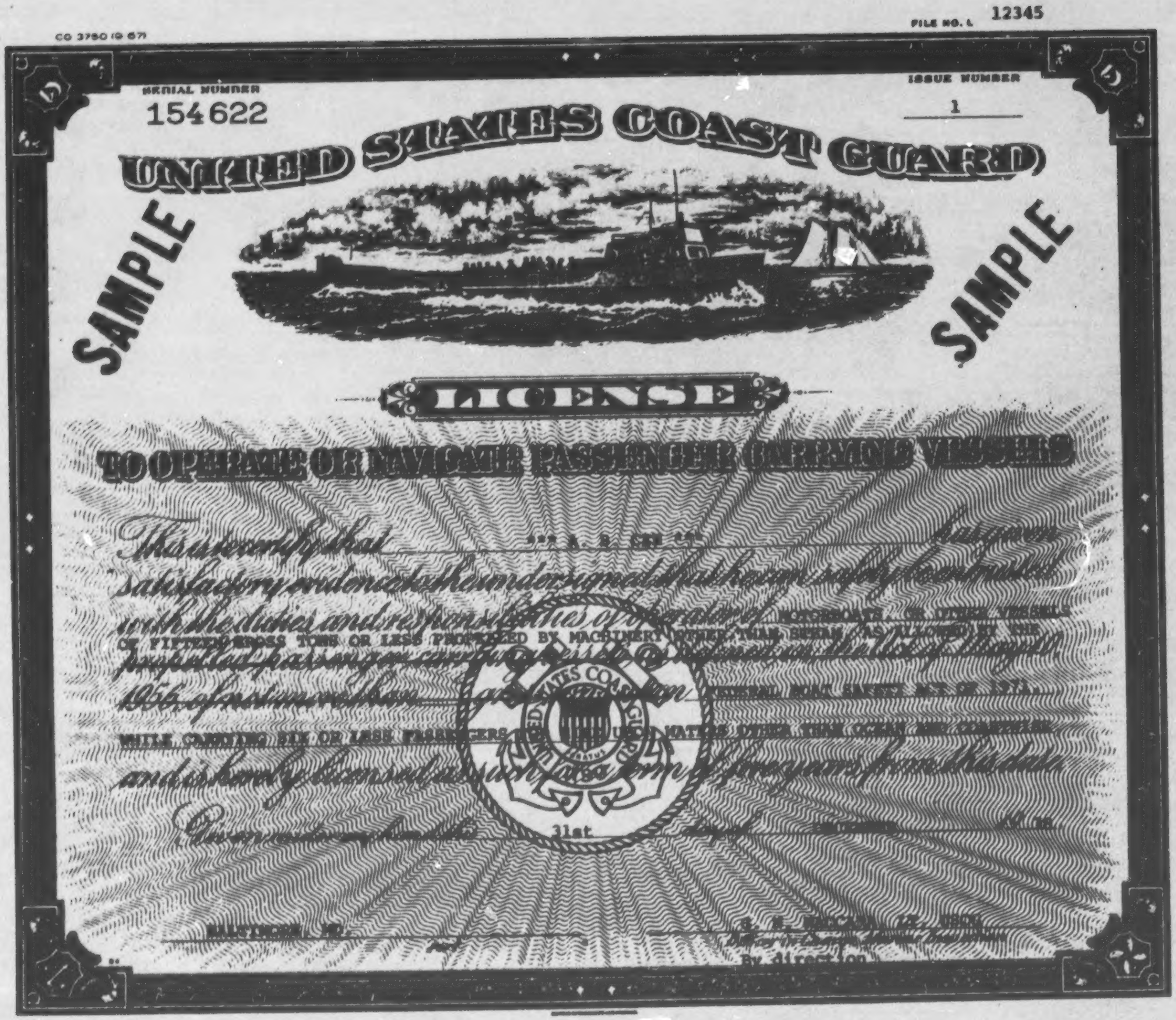


CG 3750 (9-67)

FILE NO. L 12345

SERIAL NUMBER
154622

ISSUE NUMBER
1

UNITED STATES COAST GUARD

SAMPLE

SAMPLE

LICENSE

TO OPERATE OR NAVIGATE PASSENGER CARRYING VESSELS

This is to certify that *** A. B. SEE *** has given satisfactory evidence to the undersigned that he can safely be entrusted with the duties and responsibilities of operator of MOTORBOATS, OR OTHER VESSELS OF FIFTEEN GROSS TONS OR LESS PROPELLED BY MACHINERY OTHER THAN STEAM, AS ALLOWED BY THE propelled passenger carrying vessels [illegible] the Act of May 10, 1956, of not more than [illegible] FEDERAL BOAT SAFETY ACT OF 1971, WHILE CARRYING SIX OR LESS PASSENGERS FOR HIRE UPON WATERS OTHER THAN OCEAN AND COASTWISE and is hereby licensed as such for a term of five years from this date.

Given under my hand this 31st day of [illegible] 19[illegible]

BALTIMORE, MD.

[illegible], LT. USCG
By direction

Figure 5-1

Additional Endorsements:

Signature of Licensee

Z or Book Number

Date of Birth

Place of Birth

Present Address

LEFT THUMB PRINT ↓

Figure 5-2

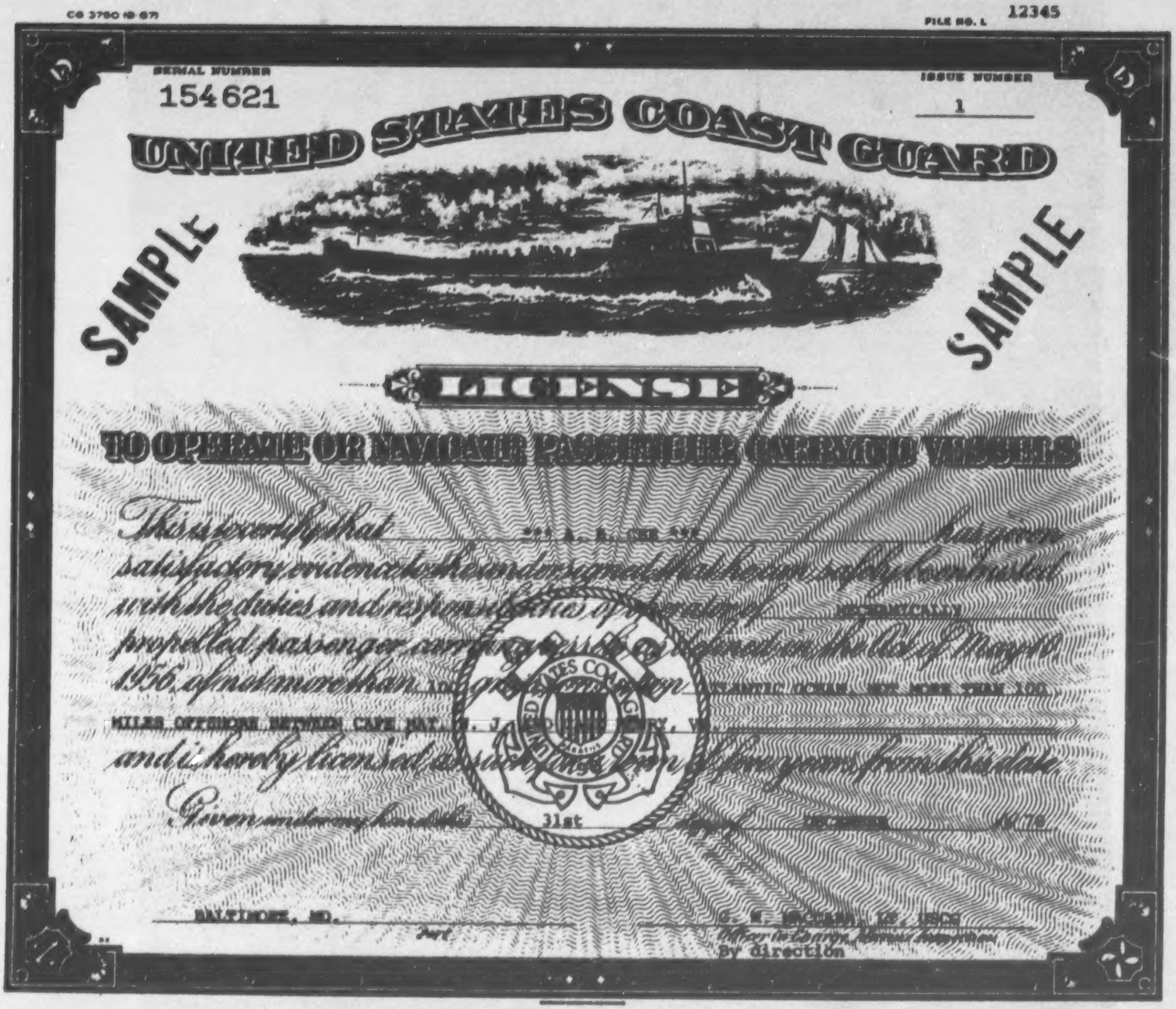
5.B.1.a.(1)(Continued)

(2) **General Requirements:**

(a) To meet the requirements the operator must be at least 18 years old; have one year's experience in the operation of motorboats; be able to speak, read and understand English; and satisfactorily complete a physical and oral professional examination. The license is valid for five years and may be renewed no earlier than 90 days prior to its expiration by presenting the license and satisfactory evidence of color sense to the OCMI.

b. **OCEAN OPERATOR, OR OPERATOR'S LICENSE**

(1) These are licenses to operate mechanically propelled, sail, or non-self-propelled vessels, carrying more than six passengers for hire. These types of license's are issued subject to restrictions for the route and class of vessel being navigated as indicated on the license's.



CG 3790 (9-67)

FILE NO. L 12345

SERIAL NUMBER 154621

ISSUE NUMBER 1

UNITED STATES COAST GUARD

SAMPLE

SAMPLE

LICENSE

TO OPERATE OR NAVIGATE PASSENGER CARRYING VESSELS

This is to certify that [illegible] has given satisfactory evidence to the undersigned that he can safely be entrusted with the duties and responsibilities of operating MECHANICALLY propelled passenger carrying vessels as defined in the Act of May 10, 1956, of not more than 100 gross tons upon ATLANTIC OCEAN, NOT MORE THAN 100 MILES OFFSHORE BETWEEN CAPE MAY, N. J. AND CAPE HENRY, VA. and is hereby licensed as such for the term of five years from this date.

Given under my hand this 31st day of DECEMBER 1978

BALTIMORE, MD.
Port

G. W. MACLEAN, LT, USCG
Officer in Charge, Marine Inspection
By direction

Figure 5-3

Additional Endorsements:

Signature of Licensee

Z or Book Number

Date of Birth

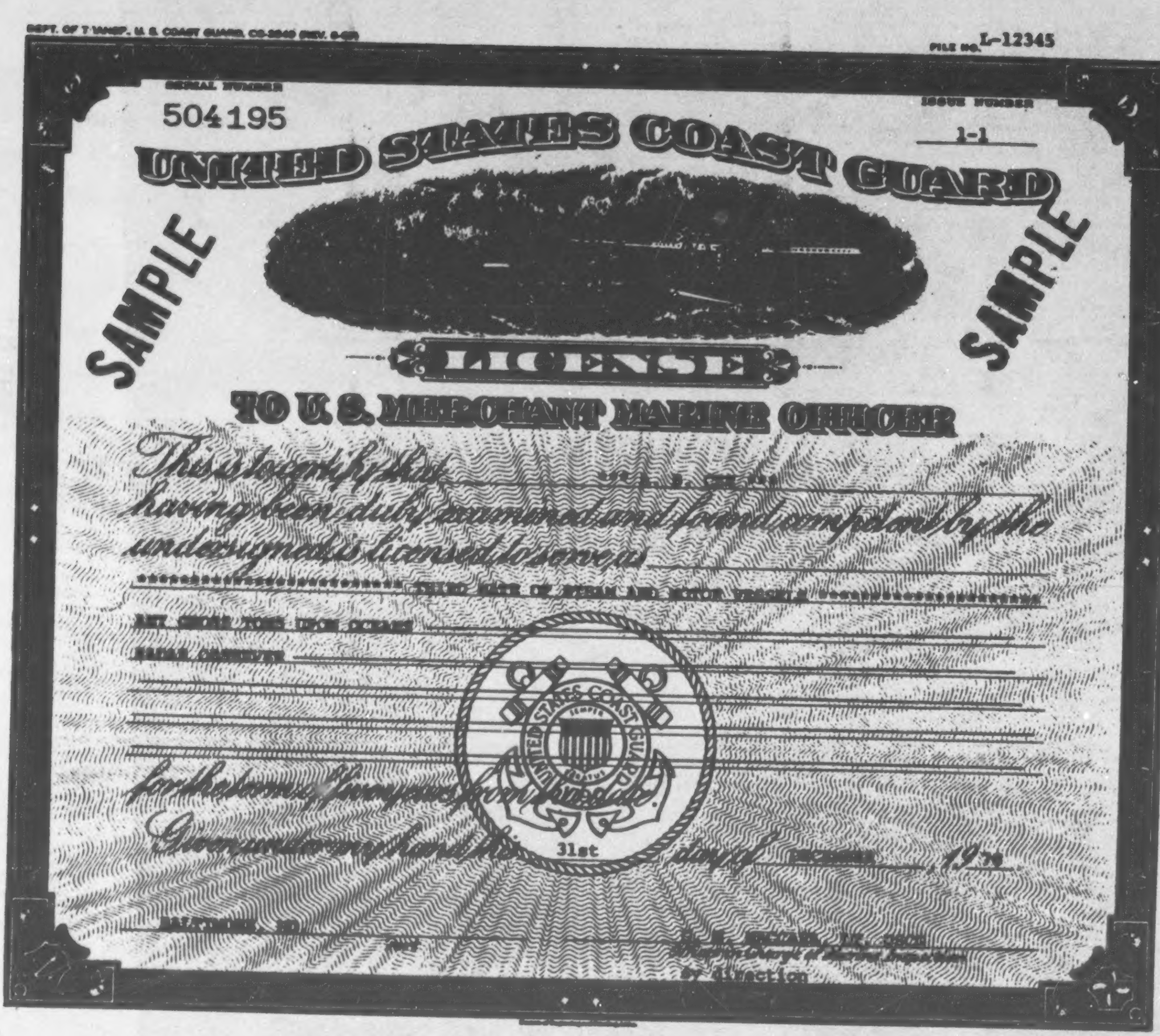
Place of Birth

Present Address

LEFT THUMB PRINT ↓

SAMPLE

Figure 5-4



DEPT. OF TRANSP., U. S. COAST GUARD, CG-2840 (REV. 8-67)

FILE NO. L-12345

SERIAL NUMBER

504195

ISSUE NUMBER

1-1

UNITED STATES COAST GUARD

SAMPLE

SAMPLE

LICENSE

TO U. S. MERCHANT MARINE OFFICER

This is to certify that [illegible]
having been duly examined and found competent by the undersigned is licensed to serve as
THIRD MATE OF STEAM AND MOTOR VESSELS
ANY GROSS TONS UPON OCEANS
RADAR OBSERVER

for the term of five years from this date.
Given under my hand this 31st *day of* DECEMBER, 19[illegible]

BALTIMORE, MD
Port

[illegible]
Officer in Charge of Marine Inspection
By direction

Figure 5-5

Additional Endorsements:

Signature of Licensee

Z or Book Number

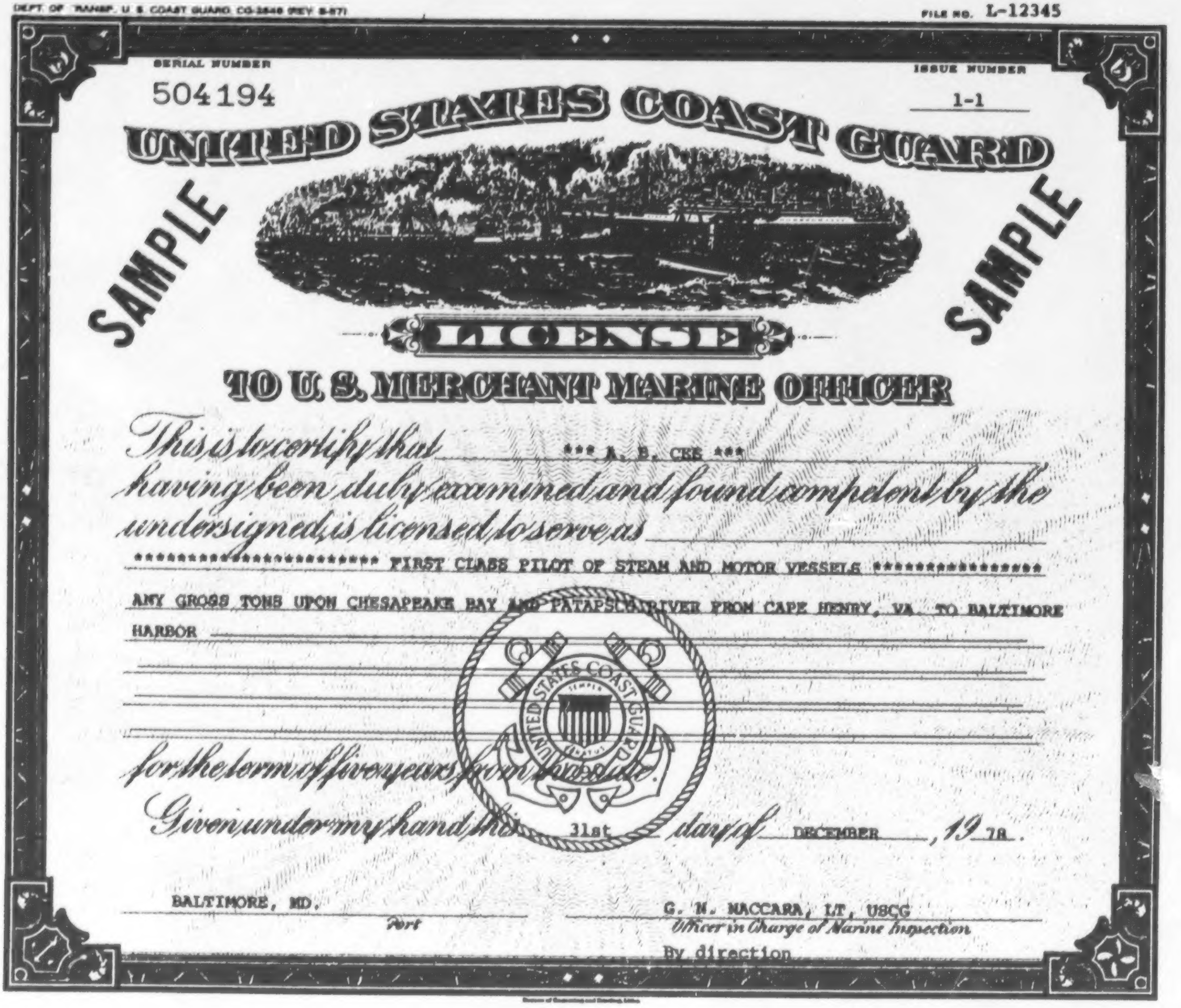
Date of Birth

Place of Birth

Present Address

LEFT THUMB PRINT ↓

Figure 5–6



DEPT. OF TRANSP., U. S. COAST GUARD CG-2846 (REV. 8-67)

FILE NO. L-12345

SERIAL NUMBER
504194

ISSUE NUMBER
1-1

UNITED STATES COAST GUARD

SAMPLE

SAMPLE

LICENSE

TO U. S. MERCHANT MARINE OFFICER

This is to certify that *** A. B. CEE ***

having been duly examined and found competent by the undersigned, is licensed to serve as

*********************** FIRST CLASS PILOT OF STEAM AND MOTOR VESSELS ****************

ANY GROSS TONS UPON CHESAPEAKE BAY AND PATAPSCO RIVER FROM CAPE HENRY, VA. TO BALTIMORE HARBOR

for the term of five years from this date.

Given under my hand this 31st *day of* DECEMBER *, 19*78.

BALTIMORE, MD.
Port

G. N. NACCARA, LT, USCG
Officer in Charge of Marine Inspection
By direction

Figure 5-7

Additional Endorsements:

Signature of Licensee

Z or Book Number

Date of Birth

Place of Birth

Present Address

LEFT THUMB PRINT ↓

Figure 5–8

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(2) **General Requirements:**

(a) An applicant for an original license of one of these types must appear before the OCMI and present documentary evidence to support his eligibility for the license for which he is making application. In addition to being at least 19 years of age for an ocean operator's license, or 18 years of age for an operator's license, he must pass a physical examination, have the written endorsement of three reputable persons and take the written professional examinations. If the applicant passes this examination and meets all the other requirements, he is issued an original license. This license is also valid for five (5) years and is a prerequisite for employment aboard U.S. flag merchant vessels. As stated above this type of license is often issued with tonnage, route, or other restrictions which are assigned commensurate with the experience of the applicant. There are, however, provisions whereby the holder of a license of this type may oftentimes be able to serve as operator or ocean operator over routes not specified in the license as shown in the following table:

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5.B.1.b.(2)(a)(Continued)

Type license held	Route described on license	Capacity and routes permitted
Ocean Operator (See Figure 5–3)	Oceans or coastwise	Can serve as ocean operator on the specific route described on the license, and as operator on the Great Lakes, lakes, bays and sounds, and rivers.
Operator or Master	Waters other than ocean or coastwise	Can serve as operator on Great Lakes, lakes, bays and sounds, and rivers.
Operator or Master	Great Lakes	Can serve as operator on the specific route described on license, and on lakes, bays and sounds, and rivers.
Operator or Master	Lakes, bays and sounds	Can serve as operator on specific route described on license, and on rivers.
Operator or Master	Rivers	Can serve as operator on the specific route described on license.
Operator or Master (See Figure 5–1)	Specific bodies of water	Can serve as operator only on the specific waters described.
Pilot (See Figure 5–7)	Specific bodies of water	Can serve as operator on the Great Lakes, lakes, bays and sounds, and rivers.

5.B.1.b.(2)(a)(Continued)

(b) Only those licenses which authorize service on inspected passenger vessels, that is, a master, mate or pilot license, may be substituted for an operator's license or ocean operator's license. When boarding an inspected or uninspected vessel carrying passengers for hire, the boarding officer should read the Operator's License to insure that the vessel is being operated in accordance with the restrictions indicated thereon.

C. NUMBERING AND REGISTRATION

1. CERTIFICATE OF NUMBER

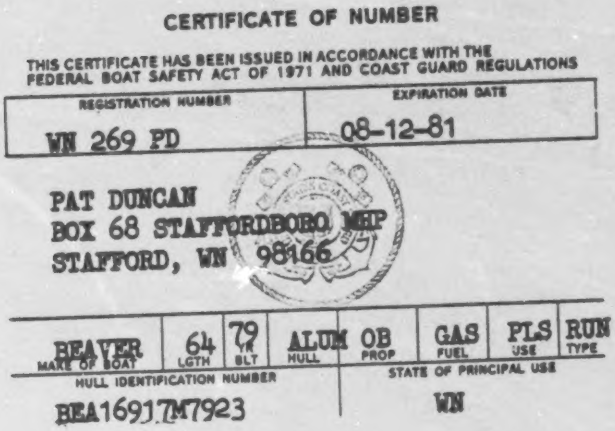
a. You will remember that Section 17 of the Federal Boat Safety Act of 1971 requires all undocumented vessels equipped with machinery propulsion to be numbered in the **state of principal use**. This number will be issued by the state where the boat is principally used, on a registration form much the same as that for an automobile. If the state does not have an approved vessel numbering system, then the Coast Guard will issue the number.

2. GENERAL REQUIREMENTS

a. The law requires the **certificate to be of pocket size** (approximately 2-1/2" x 3-1/2"), **be aboard whenever the vessel is in operation** (except rented vessels), and **not valid for more than three years**. The Coast Guard prescribes that only the original certificate or a duplicate, in the case of loss, is acceptable. This means reproduced copies of any type are NOT acceptable. The law requires the certificate to be aboard whenever the vessel is in use, but in the case of new boats or transfer of ownership, the Coast Guard accepts a temporary certificate issued by the state. In cases where a temporary certificate has been accepted by the boarding officer for compliance of the requirement, he shall circle the block marked "55" on the Report of Boarding and explain in the remarks section of the form that the vessel is not in violation as he was operating with a temporary certificate of number. This rule applies only if the temporary certificate is valid and not expired. In some cases the certificate of number is required

5.C.2.a.(Continued)

to be signed in order to be valid. The certificate of number will have the name and address of the owner along with some nomenclature such as hull material, length and use, in addition to the number awarded. Figure 5-9 illustrates a sample certificate of number from the state of Washington.



CERTIFICATE OF NUMBER

THIS CERTIFICATE HAS BEEN ISSUED IN ACCORDANCE WITH THE FEDERAL BOAT SAFETY ACT OF 1971 AND COAST GUARD REGULATIONS

REGISTRATION NUMBER	EXPIRATION DATE
WN 269 PD	08-12-81

PAT DUNCAN
BOX 68 STAFFORDBORO MHP
STAFFORD, WN 98166

MAKE OF BOAT	LGTH	YR BLT	HULL	PROP	FUEL	USE	TYPE
BEAVER	64	79	ALUM	OB	GAS	PLS	RUN

HULL IDENTIFICATION NUMBER	STATE OF PRINCIPAL USE
BEA16917M7923	WN

Figure 5–9

3. **EXEMPTION**

a. One exemption to the requirement of having the certificate of number aboard when in operation is as follows:

> "The certificate of number for vessels less than 26 feet in length and leased or rented to a person for non-commercial use, for less than 7 days may be retained on shore by the vessel's owner or his representative at the place from which the vessel departs or returns to the possession of the owner or his representative."

b. This means that, if a boat LESS than 26 feet is rented or leased to a person for that person's use, the use is in no way commercial, and the vessel is rented or leased for less than 7 days, the certificate of number would not have to be aboard the vessel. However, if the vessel is propelled by machinery, it

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5.C.3.b.(Continued)

is required to properly display the number issued to it and to have aboard the lease or rental agreement. This agreement is to list at least the vessel number that appears on the certificate of number, the period of time for which the boat is rented or leased, and must be signed by both the owner or his representative and the person leasing or renting the vessel.

4. NUMBERING REQUIREMENTS

a. When the certificate of number is received by the boat owner, it has an awarded number designated on it. This number, required by section 21 of the Federal Boat Safety Act of 1971 and by 33 CFR 173.27 and 173.23, displayed on the vessel, consists of letters and numbers. These letters are located in the prefix and suffix of a number issued. The letters in the prefix designate the state where the vessel is registered.

5. DISPLAY OF NUMBER

a. The number is required to be displayed on the **forward** half of the vessel. The number must be either painted on or attached in some permanent way to the hull.

QUESTION:	Can numbers be displayed on a board or plaque attached on the forward half of the vessel?
ANSWER:	Yes, if the plaque is attached to the hull in a permanent fashion. The numbers must be at least 3 inches in height, be of block characters and contrast in color to the background. When displayed, there must be a space between the prefix and the number and between the number and the suffix equal to the width of a letter or number **other** than "I" or "1". This space may be left blank or have a hyphen inserted in it. The numbers may not be slanted or of script character. The border, trim, outline or shading does not constitute part of the character of the number and should be disregarded if used.
QUESTION:	Does this mean that border, trim, and shading cannot be considered even for contrast?
ANSWER:	Yes. **Completely disregard** these items when considering the display of numbers.

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5.C.5.a.(Continued)

When the numbers are displayed on a vessel, they are to be displayed so as to be read from left to right.

b. Improper display of the number is constantly the most noted violation on motorboats. As a boarding officer you should remember that if the number is displayed properly except for being a fraction of an inch off in height or in the spacing between the prefix and number, or number and suffix, you should accept it. However, you should inform the owner of the proper way in which to display his numbers so that he will know the next time he applies numbers to his boat. When examining a motorboat for the proper display of numbers, DON'T BE A "NIT-PICKER."

6. VESSELS EXEMPT FROM NUMBERING

a. The Federal Boat Safety Act of 1971 exempts the following vessels from the numbering requirements:

(1) Foreign vessels temporarily using water subject to the United States Jurisdiction.

(2) Military or public vessels of the United States, except those used for recreational purposes.

(3) A vessel owned by a state or subdivision thereof, and is used principally for governmental purposes and clearly identified as such. These vessels usually have a state seal displayed on the hull.

(4) Ship's lifeboats.

D. CHAPTER QUIZ

1. What vessels must be documented?

2. What are the requirements for documentation?

3. Where and how must the official number be shown?

4. What are the two types of licenses the boarding officer will most often come in contact with?

80

5.D.

5. Look at the following examples of numbers. Assume they are all 3" in height. Tell if they are correct or incorrect. If they are incorrect, describe why they are incorrect.

[redacted]

MA 3572 BD

MA3572BD

MA 3572 BD

Figure 5–10

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CHAPTER 6: LEGAL REQUIREMENTS FOR BOAT OPERATORS

A. INTRODUCTION

1. This chapter contains the detailed information on equipment the boarding officer will be examining on boats: personal flotation devices, fire extinguishers, flame arresters, sound producing devices, marine sanitation devices, visual distress signals, and ventilation. In addition to an explanation of this equipment, there is an introduction on how this equipment is to be placed on boats and the condition it must be in to be acceptable to you as a boarding officer.

B. COAST GUARD APPROVED EQUIPMENT

1. The Motorboat Act of 1940 provided that the Commandant of the Coast Guard prescribe by regulation for motorboats:

   a. Personal flotation devices.

   b. The number, size and type of fire extinguishers.

   c. Flame arresters.

2. In the implementation of those regulations, the Commandant has prescribed detailed specifications concerning the performance and design of this equipment. The equipment meeting these detailed specifications may be accepted by the Commandant of the Coast Guard and considered Coast Guard approved. As will be noted later in this chapter, the equipment required aboard vessels depends on the length of the vessel.

3. **Length of Vessel**

   a. The Motorboat Act of 1940, which applied to motorboats only, designated boats by class according to specified lengths. (In contrast, the Federal Boat Safety Act of 1971 applies to all boats, however they are propelled and whatever length they are. In order for the Coast Guard to enforce the law fairly and consistently, the regulations under this Act apply to boats by length. Among other considerations, the length of boat to which a regulation applies is stated in the regulation itself. In the following chapters concerning equipment carriages, boats will be referred to by several lengths without the use of the word "class."

6.B.3.

b. Measure a vessel to determine its size. When measuring a vessel, you measure from the forward end to the after end across the deck down the centerline, excluding the sheer. This means in a straight line and only that part of the hull that is permanent. Do not include bowsprits, bumkins, rudders, outboard motors or similar fittings. The illustration below shows the measuring procedure.

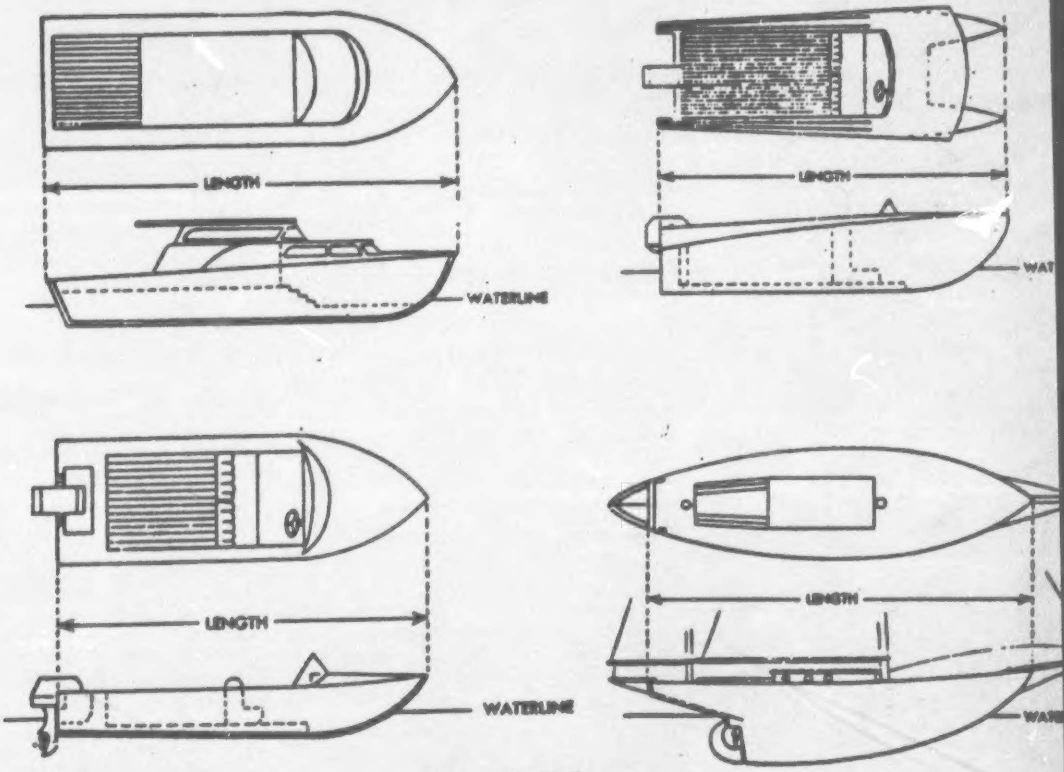

Figure 6-1

c. In most examinations you will not have to measure the vessel because length is listed on the certificate of number. However, it will be necessary to measure the vessel when the certificate lists the vessel as 16', 26', 40', or 65' in order to assure the length that the vessel is to determine the equipment required. This is absolutely necessary if it appears that a violation of

6.B.3.c.(Continued)

equipment requirements may exist. If a violation does in fact exist, note in the remarks section of the boarding form that the vessel was measured.

4. MARKING REQUIREMENTS

a. All Coast Guard approved items **now manufactured** display markings showing Coast Guard approval. Before 1965, flame arresters and fire extinguishers were identified by make and model number. In order for a boarding officer to know if this equipment was acceptable as Coast Guard approved, he had to look the equipment up in CG-190, "Equipment List." This publication lists equipment which was formerly approved by the Coast Guard and is now acceptable or not acceptable on motorboats. The instructions for using this publication are found in the front of the publication.

5. WITHDRAWAL OF APPROVAL

a. Coast Guard approval is withdrawn by publication in the Federal Register. Notice of such withdrawal is published in Proceedings of Merchant Marine Council and in the Equipment List, CG-190. Withdrawal of approval can be for several reasons:

(1) The product is no longer manufactured;

(2) Does not meet new specifications.

b. Withdrawal of approval is no reflection on the product or the manufacturer and does **not** mean that their articles previously approved are now disapproved. Normally, previously approved articles are acceptable as long as they are in good and serviceable condition. Exceptions to this rule are specifically announced, such as in cases where imminent safety hazards have been disclosed. Examples of exceptions are: carbon-tet fire extinguishers and unprotected kapok or fibrous glass personal flotation devices. Unprotected means that the kapok or fibrous glass is not sealed in plastic containers.

6. DEFECTIVELY MANUFACTURED EQUIPMENT

6.B.6.(Continued)

a. When boarding officers detect Coast Guard approved equipment which has apparent manufacturing defects, the following action should be taken:

(1) Obtain the name and address of the manufacturer, name and model of the device, lot number, date and address where the device was purchased. List why the device was defective.

(2) Forward information (via chain of command) to the district commander, who may: (1) take independent action with the company or (2) refer to Commandant (G-B) for appropriate action.

(3) Do not issue Notice of Violation if the defect was obviously a manufacturing one.

b. Other discrepancies or manufacturing defects which may constitute hazards should also be reported to the district commander.

7. UNAUTHORIZED USE OF "U.S. COAST GUARD"

a. The Federal law (14 USC 639) provides:

"No individual, association, partnership, or corporation shall, without authority of the Commandant, use the combination of letters "USCG," or "USCGR," the words "Coast Guard," "United States Coast Guard," "Coast Guard Reserve," "United States Coast Guard Reserve," "Coast Guard Auxiliary," "United States Coast Guard Auxiliary," "Lighthouse Service," "Life Saving Service," or any combination or variation of such letters or words alone or with other letters or words, as the name under which he or it shall do business for the purpose of trade, or by way of advertisement to induce the effect of leading the public to believe that such individual, association, partnership, or corporation has any connection with the Coast Guard. No individual, association, partnership, or corporation shall falsely advertise or otherwise represent falsely by any device whatsoever, that any project or business which he or it is engaged, or product which he or it manufactures, deals in, or sells, has in any way been endorsed, authorized, or approved by the Coast Guard. Every person violating this section shall be fined not more than $1,000, or imprisoned not more than one year, or both."

b. Use of the term "Made in accordance with U.S. Coast Guard Specifications" or similar phrases, may or may not be proper depending upon the equipment referred to. For example:

(1) **Numbers**. There are at present no Coast specifications for the manufacture of numbers; therefore, such advertising would be false.

(2) **Personal flotation devices, flame arresters and fire extinguishers.** The Coast Guard prescribed specifications for Coast Guard approved equipment. If the equipment so advertised does comply with Coast Guard specifications, there would be no false advertising. Should it be developed that the manufacturer or supplier--whoever is initially responsible--deliberately or by gross carelessness represented by advertisement or otherwise that the device meets the requirements when in fact it does not, referral to the district commander would be warranted. This is generally a matter for investigation by Intelligence personnel.

QUESTION:	What should you do if you discover one of these three items advertising that it meets Coast Guard specifications and there is no approval number assigned?
ANSWER:	Forward all the information available to the district commander.

C. PERSONAL FLOTATION DEVICES (PFDs)

1. There are five (5) types of personal flotation devices (PFDs). A description of each is provided below. Note that PFDs are designed to perform as described in calm water and when the wearer is not wearing any other flotation material (such as a wet suit).

a. TYPE I.

A Type I PFD has the greatest required buoyancy and is designed to turn most unconscious persons in the water from a face down position to a vertical and slightly backward position

6.C.1.a.(Continued)

and to maintain the person in the vertical and slightly backward position and, therefore greatly increase his or her chances of survival. The Type I PFD is suitable for all waters, especially for cruising on waters where there is a probability of delayed rescue, such as large bodies of water where it is not likely that a significant number of boats will be in close proximity. This type PFD is the most effective of all the types in rough water. The Type I PFD is easiest to don in any emergency because it is reversible and available in only two sizes – Adult (90 lb. or more) and child (less than 90 lb) which are universal sizes (designed to fit all persons in the appropriate category).

b. **TYPE II.**

A Type II PFD is designed to turn the wearer to a vertical and slightly backward position in the water. The turning action is not as pronounced as with a Type I and the device will not turn as many persons under the same conditions as the Type I. The Type II PFD is usually more comfortable to wear than the Type I. This type PFD is normally sized for ease of emergency donning and is available in the following sizes: Adult (more than 90 lb.) – Medium Child (50 lb. to 90 lb.), and two categories of Small Child (less than 50 lb. or less than 30 lb.). Additionally, some models are sized by chest sizes. You may prefer to use the Type II where there is a probability of quick rescue such as where it is common for other persons to be engaged in boating, fishing, and other water activities.

c. **TYPE III.**

The Type III PFD is designed so that the wearer can place himself or herself in a vertical and slightly backward position, and the device will maintain the wearer in that position and have no tendency to turn the wearer face down. A Type III can be the most comfortable, comes in a variety of styles which should be matched to the individual use, and is usually the best choice for water sports, such as skiing, hunting, fishing, canoeing, and kayaking. This type PFD normally comes in many chest sizes and weight ranges; however, some universal sizes are available. You may also prefer to use the Type III where there is a probability of quick rescue such as areas where it is common for other persons to be engaged in boating, fishing, and other water activities.

d. **TYPE IV.**

A Type IV PFD is designed to be grasped and held by the user until rescued as well as to be thrown to a person who has fallen overboard. While the Type IV is acceptable in place of a wearable device in certain instances, this type is suitable only where there is a probability of quick rescue, such as areas where it is common for other persons to be engaged in boating, fishing, and other water activities. It is not recommended for non-swimmers and children.

e. **TYPE V.**

A Type V PFD is approved for restricted use.

2. **Federal Requirements Regarding PFDs.**

a. Coast Guard regulations in Part 175 of Title 33, Code of Federal Regulations require personal flotation devices in the following three situations:

(1) No person may use a recreational boat less than 16 feet in length or a canoe or kayak unless at least one personal flotation device (PFD) of the following types is on board for each person: (1) Type I PFD, (2) Type II PFD, (3) Type III PFD, or (4) Type IV PFD.

(2) No person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless at least one personal flotation device of the following types is on board for each person: (1) Type I PFD, (2) Type II PFD, (3) Type III PFD.

(3) No person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless at least one Type IV PFD is on board in addition to the PFDs required in paragraph (2).

b. All PFDs must be U.S. Coast Guard approved, in serviceable condition, and of an appropriate size for the person who intends to wear it (within the weight range and chest sizes marked on the PFD).

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3. LIFE PRESERVERS, TYPE I

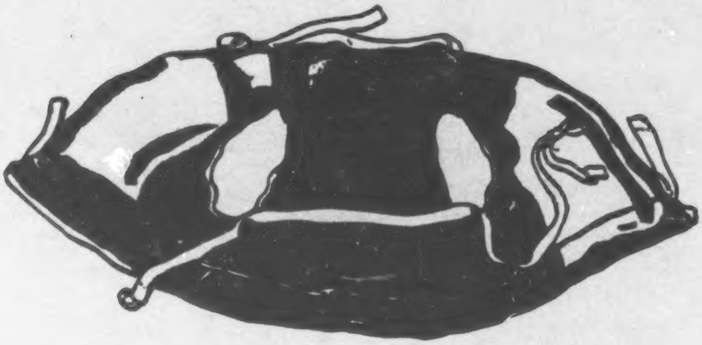

Figure 6–2

a. Construction.

(1) Approved life preservers are of the jacket or bib design. They may be constructed with pads of kapok or fibrous glass or may use foam as the buoyant material. They have a vinyl dipped or cloth covering fitted with a maximum of three straps or ties. The jacket design has a covering of continuous construction whereby the flotation cells are not joined merely by straps, but are constructed as part of the jacket.

(2) Life preservers come in two sizes: adult size and child size. The adult size is designed for persons weighing 90 pounds or more, and the child size is designed for persons weighing less than 90 pounds.

QUESTION:	Would a child size life preserver be acceptable for a six (6) year old weighing 100 pounds?
ANSWER:	No. The child size preserver is acceptable only for persons, adult or child, weighing less than 90 pounds.

(3) Since 1949, all life preservers have been required to be manufactured in Indian orange color; however, those manufactured before 1949 that are still in good

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and serviceable condition—no matter what their color—are acceptable.

b. **Marking.**

(1) Each life preserver must have the following information clearly marked in waterproof lettering on a front section, in letters that can be read at a distance of two feet:

(Note that the wording varies slightly depending on buoyant material.)

(a) **KAPOK**

Type I Personal Flotation Device.
Inspected and tested in accordance with U.S. Coast Guard regulations.
Kapok buoyant material provides a minimum buoyant force of (25 lb. or 16–1/2 lb).
Do not snag or puncture inner plastic cover.
Approved for use on all vessels by persons weighing (90 lb. or more, or less than 90 lb.)
U.S. Coast Guard Approval No. 160.002/(assigned manufacturer's No.)/(Revision No.); (Model No.)
(Name and address of manufacturer or distributor.).
(Lot no.)

(b) **FIBROUS GLASS**

Type I Personal Flotation Device.
Inspected and tested in accordance with U.S. Coast Guard regulations.
Fibrous glass buoyant material provides a minimum buoyant force of (25 lb. or 16–1/2 lb.)
Approved for use on all vessels by persons weighing (90 lb. or more, or less than 90 lb.)

6.C.3.b.(1)(b)(Continued)

U.S. Coast Guard Approval No. 160.005/(assigned manufacturer's No.)/(Revision No.); (Model No.)
(Name and address of manufacturer or distributor.).
(Lot. No.).

(c) **FOAM**

Type I or Type V Personal Flotation Device.
Inspected and tested in accordance with U.S. Coast Guard regulations.
(Name of buoyant material) buoyant material provides a minimum buoyant force of (22 lb. or 11 lb.).
Approved for use on all vessels by persons weighing (90 lb. or more, or less than 90 lb.).
U.S. Coast Guard Approval Number 160.055/ assigned manufacturer's No.)/(Revision No.)/; Model No.).
(Name and address of manufacturer or distributor).
(Lot No.).

(2) The Coast Guard no longer approves PFDs using cork or balsa wood as buoyant material. (Approval Numbers 160.003 and 160.004). Those PFDs approved as such that are still in good and serviceable condition are acceptable.

4. BUOYANT VESTS, TYPE II

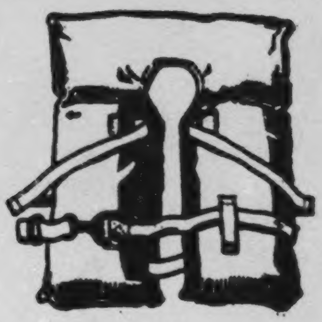


FIGURE 6-3

a. Construction.

(1) Approved buoyant vests are the "horsecollar" design. They are constructed of pads of kapok, fibrous glass, or foam and have a cloth or vinyl dipped covering which is fitted with necessary straps and ties.

b. Marking.

(1) Each buoyant vest must have the following information clearly marked in waterproof lettering that can be read at a distance of two feet:

(a) **FOAM**

Type II Personal Flotation Device.
Inspected and tested in accordance with U.S. Coast Guard regulations.
(Name of buoyant material) provides a minimum buoyant force of (15-1/2 lb., 11 lb., or 7 lb.).
Dry out thoroughly when wet.
Approved for use on all recreational boats and on uninspected commercial vessels less than 40 feet in length not carrying passengers-for-hire by persons weighing over 90 lb., 50 to 90 lb., or less than 50 lb.).

6.C.4.b.(a)(Continued)

U.S. Coast Guard Approval No. 160.052/ or 160.060 (assigned manufacturer's No.)/ (Revision No.); (Model No.)
(Name and address of manufacturer or distributor.).
(Lot No.).

(b) KAPOK OR FIBROUS GLASS

Type II Personal Flotation Device
Inspected and tested in accordance with U.S. Coast Guard regulations.
(Kapok or Fibrous Glass) buoyant material provides a minimum buoyant force of (16 lb., 11 lb., or 7-1/4 lb.).
Dry out thoroughly when wet.
Do not snag or puncture inner plastic cover.
If pads become waterlogged, replace device.
Approved for use on all recreational boats and on uninspected commercial vessels less than 40 feet in length not carrying passengers-for-hire by persons weighing (over 90 lb., 50 to 90 lb., or less than 50 lb.).
U.S. Coast Guard Approval No. 160.047/ (assigned manufacturer's No.)/(Revision No.);
(Model No.).
(Name and address of manufacturer or distributor).
(Lot No.).

5. MARINE BUOYANT DEVICE, TYPE III

Figure 6-4

a. **Construction.**

(1) Marine buoyant devices come in various designs and construction and are marked to show the intended purpose of the device. These devices could be classified as Type II, III or IV depending on the construction and purpose.

b. **Marking.**

(Type II or Type III) Personal Flotation Device.
Inspected and tested in accordance with U.S. Coast Guard regulations.
(Name of buoyant material) buoyant material provides minimum buoyant force of (15–1/2 lb., 11 lb., or 7 lb.).
(Special purpose intended.)
Approved for use on all recreational boats and on uninspected commercial vessels less than 40 feet in length not carrying passengersfor-hire by persons weighing (more than 90 lb., 50 to 90 lb., 30 to 50 lb., or less than 30 lb.)
U.S. Coast Guard Approval No. 160.064/ assigned manufacturer's No.)/(Revision No.); (Model No.).
(Name and address of manufacturer or distributor.)
(Lot No.).

6. RING BUOYS, TYPE IV BUOYANT CUSHIONS, TYPE IV

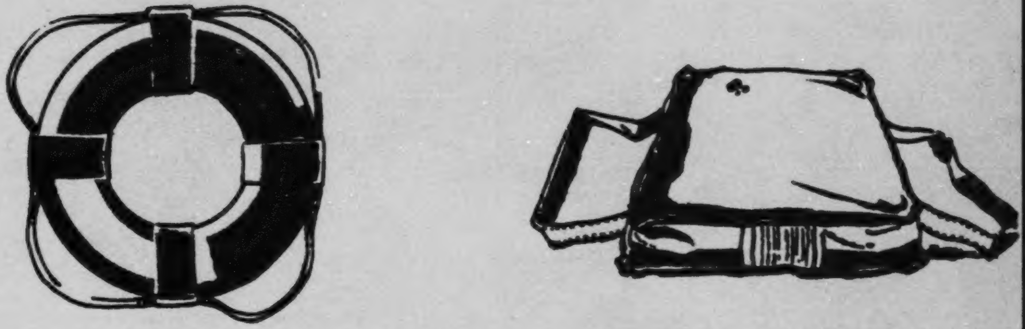


Figure 6–5

a. For devices to be thrown:

Type IV Personal Flotation Device.
Inspected and tested in accordance with U.S. Coast Guard test procedures.
(Name of buoyant material) buoyant material provides a minimum buoyant force of (16–1/2 lb., 18 lb., or 20 lb.).
(Special purpose intended.)
Approved for use on all recreational boats less than 16 feet in length and all canoes, kayaks, and only as a throwable device on all other recreational boats.
U.S. Coast Guard Approval No. 160.064/(assigned manufacturer's No.)/(Revision No.); (Model No.).
(Name and address of manufacturer or distributor.
(Lot No.).

b. Construction.

(1) Approved ring buoys are available in 20", 24", and 30" sizes. They may be constructed of cork or balsa

6.C.6.b.(1)(Continued)

wood with a canvas cover, or of plastic foam with a special surface. All ring buoys are fitted with a grab line and must be either white or orange. Ring buoys are acceptable on recreational boats under 16 feet in length and all canoes and kayaks, as meeting the PFD requirements for those on board. For all other vessels they meet the throwable device requirement only. NOTE: An 18" ring buoy is Coast Guard approved as a marine buoyant device and is acceptable for use on recreational boats only (as a Type IV).

c. **Marking.**

(1) Each ring buoy must have the following information clearly marked in waterproof lettering:

d. **CORK OR BALSA WOOD**

Type IV Personal Flotation Device.
Inspected and tested in accordance with U.S. Coast Guard regulations.
(Cork or Balsa wood) buoyant material provides a minimum buoyant force of (32 lb., or 16-1/2 lb.).
Approved for use on recreational boats less than 16 feet in length and all canoes and kayaks, and only as a throwable device on all other vessels.
Approved U.S. Coast Guard (inspection date) (Marine Inspection Office identification
letters).
(Name and address of manufacturer or distributor).
(U.S. Coast Guard Approval No. 160.009/ (assigned manufacturer's No.)/(Revision No.) (Model No.).
(Size).
(Lot No.).

e. **FOAM**

(1) On a corrosion-resistant nameplate that is attached to the becket and that cannot be removed or destroyed:

Type IV Personal Flotation Device
Inspected and tested in accordance with U.S. Coast Guard regulations.

6.C.6.e.(1)(Continued)

(Name of buoyant material) buoyant material provides a minimum buoyant force of (32 lb., or 16–1/2 lb.).
Approved for use on recreational boats less than 16 feet in length and all canoes and kayaks, and only as a device on all other vessels.
U.S. Coast Guard Approval No. 160.050/ (assigned manufacturer's No.)/(Revision No.): (Model No.).
(Name and address of manufacturer or distributor).
(Size) U.S. Coast Guard (Marine Inspection Office identification letters).
(Lot No.).

f. **Construction.**

(1) The buoyant material of currently approved cushions may be kapok, fibrous glass, or plastic foam covered with various types of fabric. The material may be covered with upholstery cloth or vinyl dipped materials. Buoyant cushions are fitted with grab straps and come in a variety of colors. For years the buoyant cushion has been the most popular PFD used on recreational boats less than 40 feet in length. Under the PFD regulations issued in 1973, however, the buoyant cushion is now acceptable for meeting the PFD requirement only on recreational boats less than 16 feet in length for those on board and as the throwing device for all other lengths of boat. The cushion is designed to be a grasping device. It is unsafe to wear it on the back. For this reason, the warning "DO NOT WEAR ON BACK" is placed on the label. Do not confuse the fact that, in addition being a grasping device, it is also a throwing device for recreational boats 16 feet in length or longer.

g. **Marking.**

(1) Each buoyant cushion must have the following information clearly marked in waterproof lettering:

(2) KAPOK OR FIBROUS GLASS

(a) Type IV Personal Flotation Device.
Inspected and tested in accordance with U.S. Coast Guard regulations.

6.C.6.g.(2)(a)(Continued)

Dry out thoroughly when wet.
(Kapok or Fibrous Glass) buoyant material provides a minimum buoyant
force of 20 lb.
Do not snag or puncture inner plastic cover.
If pads become waterlogged, replace device.
Approved for use on recreational boats less than 16 feet in length and all canoes and kayaks, and only as a throwable device on all other recreational boats.
U.S. Coast Guard Approval No. 160.048/(assigned manufacturer's No.)/(Revision No.): (Model No.).
(Name and address of manufacturer or distributor).
(Lot No.)
(Size; width, thickness, and length, including both top and bottom for trapezoidal cushions).

(b) In letters that are distinctively set off or larger than all other marking, and are at least one-fourth of an inch in height:

WARNING: DO NOT WEAR ON BACK

(3) FOAM

(a) Type IV Personal Flotation Device.
Inspected and tested in accordance with U.S. Coast Guard regulations.
(Name of buoyant material) buoyant material provides a minimum buoyant force of 20 lb.
Dry out thoroughly when wet.
Approved for use on recreational boats less than 16 feet in length and all canoes and kayaks, and only as a throwable device on all other recreational boats.
U.S. Coast Guard Approval No. 160.049/(assigned manufacturers
No.)./(Revision No.); (Model No.).
(Name and address of manufacturer or distributor.).

6.C.6.g.(3)(a)(Continued)

(Lot No.).
(Size; width, thickness, and length, including both top and bottom for trapezoidal cushions.).

(b) In letters that are distinctively set off or larger than all other marking, and are at least -one-fourth of an inch in height:

WARNING: DO NOT WEAR ON BACK

7. The following table explains the equivalent of each personal flotation device by type, along with the approval number assigned to the device. Approval numbers are explained later in this section.

	Devices marked	are equivalent to
160.002	Life preserver	Performance Type I personal flotation device.
160.003	Life preserver	Performance Type I personal flotation device
160.004	Life preserver	Performance Type I personal flotation device
160.005	Life preserver	Performance Type I personal flotation device
160.009	Ring life buoy	Performance Type IV personal flotation device
160.047	Buoyant vest	Performance Type II personal flotation device
160.048	Buoyant cushion	Performance Type IV personal flotation device
160.049	Buoyant cushion	Performance Type IV personal flotation device
160.050	Ring life buoy	Performance Type IV personal flotation device
160.052	Buoyant vest	Performance Type II personal flotation device
160.053	Work vest	Performance Type V personal flotation device
160.055	Life preserver	Performance Type I personal flotation device
160.060	Buoyant vest	Performance Type II personal flotation device
160.064	Marine Buoyant Devices	A device intended to be worn may be equivalent to Type II or Type III. A device that is equivalent to Type III is marked "Type III Device—may not turn unconscious wearer." A device intended to be grasped is equivalent to Type IV.

Figure 6–6

8. Personal flotation devices must meet the following requirements to be acceptable to boating safety officers:

a. They shall be **Coast Guard approved.**

b. Types I, II and III must be **readily accessible**, that is, easy to reach in case of an emergency. Examples of personal flotation devices **not** readily accessible are those located in a locked locker and those stored under an anchor, anchor line, blankets, or enclosed in shipping covers.

c. The Type IV PFD must be **immediately available.**

d. PFD's shall be in good and serviceable condition.

e. PFD's shall be of appropriate size for the intended wearer (within the weight range/chest size marked on the device).

The absence of any one of these five requirements would cause the operator ("user") to be in violation of the law.

9. Requirements for commercial vessels:

a. Each vessel less than 40 feet in length which does not carry passengers for hire must have at least one life preserver, buoyant vest, or marine buoyant device intended to be worn, of a suitable size for each person on board. Kapok and fibrous glass life preservers that do not have plastic-covered pad inserts are not acceptable as equipment by this rule.

b. Each vessel carrying 6 or less passengers for hire and each vessel 40 feet in length or longer not carrying passengers for hire must have at least one life preserver of a suitable size for each person on board. Kapok and fibrous glass life preservers which do not have plastic-covered pad inserts are not acceptable as equipment required by this rule.

c. Vessels which carry more than 6 passengers for hire must have the amount of adult life preservers as listed on the vessel's Certificate of Inspection and unless the service is such that children are never carried, a number of approved child size life preservers equal to 10% of the total number of persons authorized to be carried.

d. Each vessel 26 feet in length or longer must have at least one ring life buoy in addition to the equipment required by paragraphs (1) or (2) above. Ring Buoys must be a 20", 24", or 30" size.

e. The above wearable PFDs shall be USCG approved, in good and serviceable condition, and readily accessable. The ring buoy PFD is to be immediately available and of "suitable size." The absence of any of these requirements would rule the PFD unacceptable.

QUESTION: A recreational boat 18 feet in length has six persons aboard not for hire and the boat is towing 2 skiers; how many and

6.C.9.e.(Continued)

	what type of personal flotation devices are required to be aboard?
ANSWER:	**Nine**. Eight Coast Guard approved personal flotation devices of either Type I, II, or III, plus one Type IV device should be aboard.
QUESTION:	Are water skiers required to wear personal flotation devices?
ANSWER:	**No**. Federal law requires only that the devices be in the boat.
QUESTION:	Is a recreational boat less than 16 feet in length required to carry a Type IV device in addition to the required PFDs for the person on board?
ANSWER:	**No**. Only recreational boats 16 feet in length or longer are required to carry the additional Type IV device.
QUESTION:	What Type IV device is required for commercial vessels 19 feet in length?
ANSWER:	**None**. Only commercial vessels 26 feet or longer are required to carry a Type IV device and then only the Type IV Ring Buoy Device is acceptable. Other Type IV devices are not authorized for commercial vessels.

10. EXAMINATION OF PERSONAL FLOTATION DEVICES

a. EXAMINATION OF LIFE PRESERVERS

(1) Life preservers are most often of the kapok type, although glass, cork, balsa wood, and unicellular plastic foam may be encountered. In general, the longer a life preserver has been in service, the more time-consuming is its examination.

(2) Despite the mildew inhibitor treatment required for the cloth, webbing, tapes and thread of life preservers, certain areas of the envelope eventually will rot. This may take place over a long period of time or fairly rapidly in unfavorable conditions. More often than not, the most seriously affected surfaces of the envelope will appear stained, aged, or otherwise discolored. Where these areas appear, they should be

6.C.10.a.(2)(Continued)

finger-tip-tested by twisting with the tips of the fingers.

(3) If a strap is missing completely, it may not be detected unless the boarding officer develops a habit of examining with this possibility in mind. **The first strap to be missing would usually be the neck strap.** It is most convenient, therefore, for an examiner to pick up the life preserver by its neck strap while inverting it to examine the reverse side.

(4) Kapok and fibrous glass PFDs will frequently become waterlogged and unserviceable. This is particularly true of PFDs where the plastic film pad covers have been punctured, torn or ruptured. The plastic film covering the kapok and fibrous glass is an added feature to ensure that the flotation material is not waterlogged or oil soaked by prolonged exposure. PFDs with punctured, torn or ruptured plastic film pad cover, where the kapok or fibrous glass material is dry and not compressed are serviceable. It is, however, appropriate to advise the boater that while the device is serviceable at the time it is examined, it should be replaced. Prolonged use of the device with a punctured, torn or ruptured pad may eventually result in a matted or waterlogged device which will not be acceptable as a serviceable PFD, and will be a danger to anyone who must use it.

b. EXAMINATION OF BUOYANT VESTS AND BUOYANT CUSHIONS

(1) The guide for the **inspection**, repair and testing of life preservers is, in general, applicable for the **inspection**, repair, and testing of buoyant vests and buoyant cushions. The dual service of the buoyant cushions as a seat cushion and lifesaving device causes them to become unserviceable rather rapidly due to the puncture of the inner plastic pad covers. **Inasmuch as the cushion is a grasping device, the straps should be thoroughly** checked. (The straps should be one continuous piece.)

6.C.10.(Continued)

c. EXAMINATION OF RING BUOYS

(1) Ring life buoys may be of cork, balsa wood or unicellular plastic foam. In canvas-covered balsa or cork ring life buoys, the boarding officer should look for tears, holes, gouges, or rot in the canvas covering, especially at parts which have been in contact with metal brackets. The stitching, the canvas straps holding the line in place, and the line itself must be in good condition. Any part of the ring buoy that feels damp during the inspection probably will have its canvas rotted at that point. However, other than gouges or cracks in the plastic foam, cracking of the fibrous glass coverings or casings, and eventual deterioriation of canvas straps or manila line (older models), few defects develop.

11. AUTHORIZED REPAIRS

a. Boarding officers will use careful judgement in deciding whether a device is good and serviceable though in need of minor repairs. If the device is not good and serviceable due to a missing tie strap, then a violation (white) form will be issued regardless of whether repairs will restore it to good and serviceable condition, noting on the violation report what repairs are necessary.

b. Emergency repairs to otherwise sound PFD covers may be made to PFDs which are otherwise in satisfactory condition. Such repairs do not require any prior approval by the Coast Guard, but must be acceptable by the boating safety officer. Satisfactorily repaired small holes and tears in the cover fabric should be acceptable. However, tears which would adversely affect strength, such as a tie strap, would render a PFD unserviceable.

12. IDENTIFICATION AND MARKING LABELS

a. Buoyant vests and buoyant cushions are identified by a Coast Guard approval number and the manufacturer model number which are contained on a label attached to the cushion or vest. Despite the fact that permanent type labels are required, the permanency of cushion labels has left a great deal to be desired. Research is being conducted looking toward more permanent labels. The ends of safety are not served by rejecting acceptable equipment due to faulty labeling. The Coast Guard boarding officers should use considerable discretion in dealing with this problem. If the boarding officer is convinced that the cushion or vest was approved and is actually in good and serviceable condition except for an unreadable label, he may accept the equipment as complying with the intent of the regulations until further notice on this subject is received. However, care should be exercised by the boarding officers in order that equipment which has NEVER been approved will not be given an unintentional avenue of acceptance.

D. FIRE EXTINGUISHING EQUIPMENT

1. APPROVED TYPES

a. The Commandant of the Coast Guard approves **four** types of fire extinguishers for use on motorboats. They are:

(1) Carbon Dioxide (CO2)

(2) Dry Chemical

(3) Foam

(4) Halon

b. Fire extinguishers containing toxic vaporizing liquid have not been approved or accepted as required equipment since 1 January 1962.

2. CLASSIFICATION

a. Each fire extinguisher is classified by a letter and a number. The letter designates the type of fire the extinguisher will extinguish, and the number represents the size of fire the extinguisher could extinguish. The number also represents the amount of extinguishing agent a fire extinguisher holds.

NOTE: The letters used on fire extinguishers are the same as the standard classes of fire--"A", "B", "C" or "D" and the numbers used are the Roman numerals I, II, and III. For purposes of this course, all required hand portable fire extinguishers and semi-portable fire extinguishing

6.D.2.a.(Continued)

systems are of the "B" type; suitable for extinguishing fires involving flammable liquids, greases, etc.

b. Extinguishers approved for motorboats are hand portable of either B-I or B-II classification.

3. **MARKINGS**

a. Formerly, all hand portable fire extinguishers, semiportable fire extinguishing systems and fixed fire extinguishing systems were required to be of a type specifically approved by the Coast Guard. At present, however, portable fire extinguishers may be identified as approved equipment by any one of the following methods:

(1) Manufactured prior to 1 January 1962: Determine acceptability by comparing manufacturer's name and model with CG-190 "Equipment Lists." Some did contain Coast Guard approval number:

(a) CO2 – 162.005

(b) Foam – 162.006

(c) Dry Chemical – 162.010

(2) Manufactured between 1 January 1962 and 1 January 1965 labeled:

"MARINE TYPE USCG TYPE ________________

SIZE ___________"

(3) Manufactured after 1 January 1965 labeled:

"MARINE TYPE USCG TYPE ________________

SIZE ___________"
APPROVAL NUMBER 162.028//."

4. REQUIREMENTS

a. **The number of approved fire extinguishers a motorboat is required to have aboard depends upon the length and/or construction of the motorboat.** Fire extinguishers are required on all motorboats which have compartments wherein explosive or flammable gases or vapors can be entrapped. All motorboats must carry at least the MINIMUM number of hand portable fire extinguishers required for its class. One exception is that a motorboat LESS than 26 feet in length, propelled by an outboard motor and not carrying passengers for hire, need not carry such portable fire extinguishers if the construction of the boat will not permit the entrapment of flammable gases or vapors. From time to time, you will hear the term "open boat" when referring to fire extinguishers or ventilation requirements. This term means that the boat is so constructed that flammable gases or vapors cannot be trapped in ANY area of the boat. There are **two other exceptions** to the fire extinguisher requirements, and they are: (1) One B-II type fire extinguisher may be substituted for two B-I type fire extinguishers; and (2) When the boat has an approved fixed extinguishing system installed in the engine space, **one less** B-I extinguisher is required. If you are not aware of what a fixed extinguishing system is, it is a system installed in the engine space with the release control installed outside of the engine space. The system shall be of an approved carbon dioxide (CO2) or Halon 1301 (freon) type. Listed in figure 6-7 is a table showing what size extinguisher is required for the various sizes of motorboats.

6.D.4.a.(Continued)

Size of motorboat	Without fixed system in machinery space	With fixed system in machinery space
(Less than 16 ft.)	1 B-I	None
(16 ft. to under 26 ft.)*	1 B-I	None
(26. ft to under 40 ft.)	2 B-I or 1 B-II	1 B-I
(40 ft. to 65 ft.)	3 B-I or 1 B-II and 1 B-I	2 B-I or 1 B-II

*None required for Open O/B Boats less than 26 ft.

Figure 6-7.—Fire Extinguishers Required.

b. If any of the following conditions exist then a fire extinguisher is required.

(1) Closed compartment under thwarts and seats wherein portable fuel tanks may be stored.

(2) Double bottoms not sealed to the hull or which are not completely filled with flotation material.

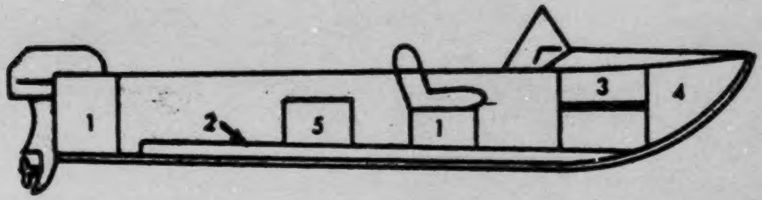
(3) Closed living spaces.

(4) Closed stowage compartments in which combustible or flammable materials are stowed.

(5) Permanently installed fuel tanks.

6.D.4.b.(Continued)

Figure 6–8



c. The following conditions DO NOT, in themselves, require that fire extinguishers be carried:

(1) Bait wells

(2) Glove compartments

(3) Buoyant flotation material

(4) Open slatted flooring

(5) Ice chests

6.D.4.c.(Continued)

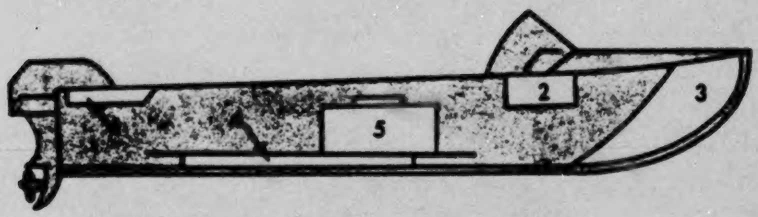


Figure 6–9

5. EXAMINATION OF FIRE EXTINGUISHERS

a. Fire extinguishers, like personal flotation devices, **must meet two conditions** before they are acceptable to boarding officers. The two requirements are: (1) **Coast Guard approved**, and (2) **in good and serviceable condition**. These two elements of acceptance are determined in the same manner as for personal flotation devices. In addition to these requirements, the following items are required before the extinguisher is acceptable to the boarding officer. (NOTE: It is recommended that these devices in addition to being Coast Guard approved and in a good and serviceable condition should also be readily accessible.)

6. CARBON DIOXIDE (CO2)

6.D.6.(Continued)

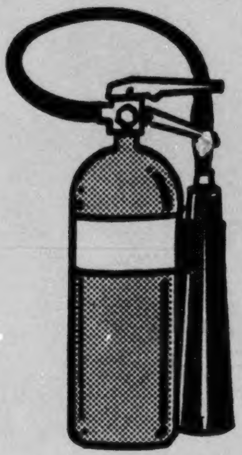


Figure 6–10

a. Carbon dioxide extinguishers have three basic parts. These three parts are--body, valve, and assembly with discharge horn. In examining you should check the discharge horn to see that it is free of any corrosion which may affect its operation. The most important check to make in examining this type of extinguisher is to weigh it. On the label you will find the gross weight and the net weight of the extinguisher. If the **gross weight** is reduced by MORE than 10% of the **net weight**, it is not sufficiently charged and not acceptable for the boat on which it is aboard. This rule sounds confusing, but is relatively simple. Look at the following examples, which apply to this rule:

QUESTION:	Is the net weight of an extinguisher also the weight of the chemical charge?
ANSWER:	Yes. They are one and the same.
EXAMPLE:	A CO2 fire extinguisher has a gross weight of 55 pounds and a net weight of 15 lbs. When the boarding officer weighs the extinguisher it weighs 53 lbs. Is the extinguisher acceptable to the boarding officer?

6.D.6.a.(Continued)

15 lb. Net Wt.	55.0 Gross Weight
10%	-1.5 lb.
1.50 lb.	53.5 lbs.

Remembering the rule for weighing extinguishers, you know that if the gross weight, which is in this case 55 lbs., is reduced by MORE than 10% of the net weight (net weight 15 lbs.), it is not acceptable. Since the extinguisher in the example weighs only 53 lbs., it is not acceptable.

EXAMPLE: A boarding officer finds an extinguisher with a gross weight of 10 lbs. and a net weight of 5 lbs. weighing 9-1/2 lbs. Is the extinguisher acceptable?

5 lb. Net Wt.	10.0 lb. (Gross Weight)
10%	.5_
.5 lb.	9.5 lbs.

Since the extinguisher's weight is not reduced more than 10% of the net weight, it is acceptable. However, the boarding officer should advise the boat owner that his extinguisher is nearing the lower limit of acceptability.

7. DRY CHEMICAL

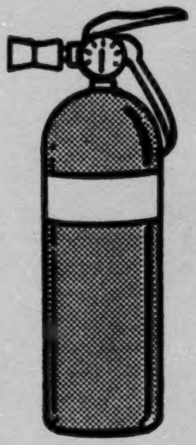


Figure 6-11

6.D.7.

a. Dry chemical stored pressure extinguishers will not bear Coast Guard approval on those manufactured after 1 June 1965 UNLESS there is a visual pressure indicator. Those formerly approved (without a pressure indicating device) are acceptable, if in good and serviceable condition which means:

(1) **Inspection record tag on extinguisher shows charge was within required weight limitations (1/4 oz.) within past six months.**

b. **Dry Chemical stored pressure fitted with visual indicator:**

(1) This type will have a visual gauge on top or on bottom of extinguisher, or a pressure indicating device that you push in and if fully charged will return to original height.

(2) Those fitted with gauge, observe that indicator is within operating range.

(3) Check for evidence of leaks or damages.

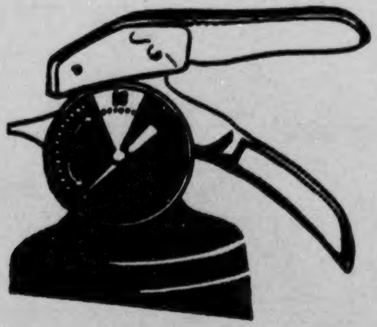


Figure 6–12

c. **Cartridge type dry chemical extinguishers wherein the expellent gas is in a separate cylinder from the dry chemical are not required to be fitted with a pressure gauge, or have the six month inspection tag.**

NOTE:

6.D.7.c.(Continued)

1. The inspection record tag should be recorded by some reputable firm such as a fire extinguisher servicing company or a local fire department.

2. Boarding officers checking extinguishers with the visual gauge at the top should ensure the plastic crystal covering the indicator needle is not pushed against the needle.

8. **FOAM**

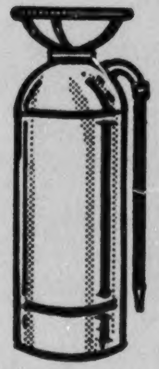


Figure 6–13

a. Foam extinguishers have four (4) basic parts--the tank, ringtop, head stopple and inner container. The following requirements must be met for this device to be acceptable:

   (1) The outer tank and inner container filled to prescribed levels.

   (2) The hose properly attached with no obstructions.

   (3) In examining this device it is permissible and in some cases NECESSARY to remove the top and remove the inner container to determine if the device is adequately filled. Remember one thing in examining an extinguisher of this type--**Do not lay this device on its side or you may activate it!**

NOTE: Extinguishers of this type have not been produced for several years, but may still be encountered in the field. They may be retained provided they are still in serviceable condition.

9. HALON

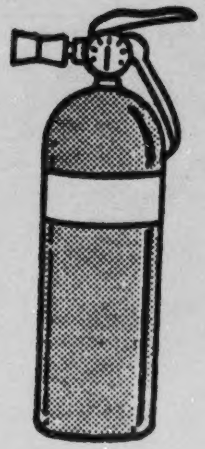


Figure 6–14

a. Halon fire extinguishers are fairly new to the field of boating. The proper way to examine this type of extinguisher is listed on the label of the extinguisher.

10. REVIEW

QUESTION:	Would a motorboat be in violation if it had the required amount and size fire extinguisher aboard and in addition the boat had a non-approved or non-acceptable type aboard?
ANSWER:	No. The law requires a motorboat to carry a required amount of acceptable fire extinguishers aboard and does not say anything about carrying non-acceptable types.
QUESTION:	How about if they are carrying passengers for hire?
ANSWER:	Toxic vaporizing extinguishers may not be carried on vessels **carrying more than 6 passengers for hire.**
QUESTION:	Is a 15 foot outboard motorboat carrying less than 6 passengers for hire required to carry a fire extinguisher?
ANSWER:	Yes. All motorboats carrying passengers for hire are required to have fire extinguishers.

6.D.10.(Continued)

QUESTION:	Inasmuch as boarding officers are unable to weigh dry chemical extinguishers with the scales provided in the boating safety kits, how does he determine the acceptability of a dry chemical extinguisher without the visual gauge?
ANSWER:	Dry chemical extinguishers not fitted with the visual guage MUST be weighed and recorded by a reputable firm **every six months** to remain acceptable.
QUESTION:	A 16-foot motorboat has a bilge space with no flotation material installed but the decking over the bilge space is open slatted constructed. How many fire extinguishers is the boat required to have aboard?
ANSWER:	None. Always remember the boat must be so constructed so as to have **closed spaces** wherein explosive fumes or vapors can be entrapped.

E. FLAME ARRESTERS

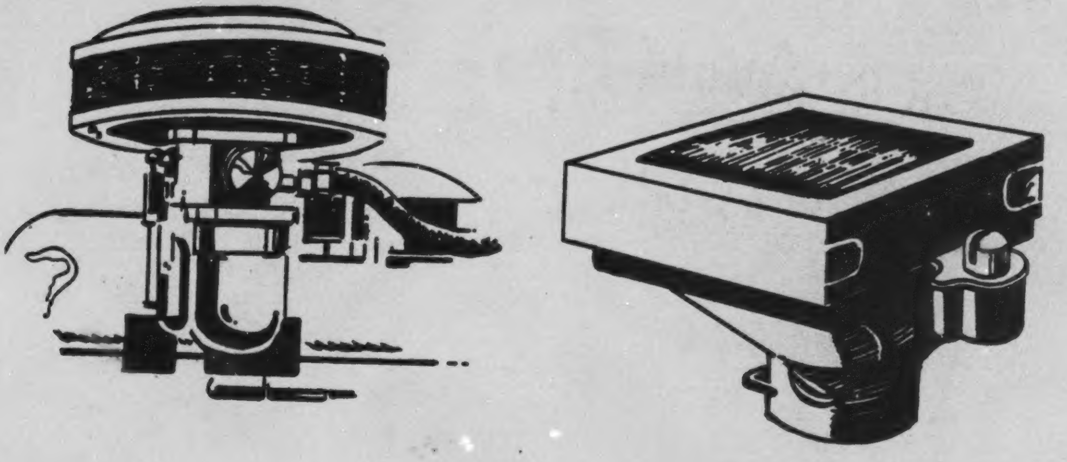


Figure 6–15

1. GENERAL INSTRUCTIONS

a. All uninspected vessels including motorboats, using gasoline as fuel (except outboard motors) shall have the carburetors fitted with an efficient flame arrester, backfire trap, or similar device as may be prescribed by or approved by the Commandant.

b. Frequently, the questions are posed by the public, what is the purpose of a flame arrester, and how does it work? To enable you to answer their questions, we will briefly discuss the theory of a flame arrester. Regardless of type of construction, a flame arrester has one purpose--that is to suppress or "cool" flames. As you know from basic firefighting instructions, there can be no fire without heat. In order for a flame arrester to perform the function of cooling flames, it must be constructed of metal that has the capability of absorbing the heat from flame when the flame passes through. Figure 6-15 is one of the most common types of flame arresters in service today. This grid element (see [a] in Figure 6–15) is constructed of a soft non-ferrous metal, such as brass, and has the capability of absorbing the heat from the flame of an engine backfire as the flame passes through, thereby rendering the flame harmless.

2. ACCEPTABLE TYPES

a. The following are acceptable means of backfire flame control for gasoline engines:

(1) A backfire flame arrester approved by the Commandant in accordance with 46 CFR 162.041. The backfire flame arrester shall be suitably secured to the air intake with flame tight connections.

(2) An engine air and fuel induction system approved by the Commandant under 46 CFR 162.042 properly marked and maintained in good serviceable condition. Outboard Marine Corp. and Air Cushion Vehicles, Inc. each have two cycle, 4 cylinder inboard gasoline engines with a Reed Valve assembly, and air intake screen labeled: "U.S. Coast Guard has accepted this Model ______ engine for use without an external backfire flame arrester."

(3) An attachment to the carburetor or a location of the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the boat in such a manner that the flames will not endanger the boat, persons on

6.E.2.a.(3)(Continued)

board, or nearby vessels and structures. All attachments shall be of metallic construction with flame tight connections, firmly secured to withstand vibrations, shock and engine backfire, and maintained in good and serviceable condition.

b. Such installations do not require Coast Guard approval and labeling, but will be accepted by Coast Guard law enforcement officers on the basis of the above. Many inboard ski boats are constructed so that the fuel/air induction system is above the sides of the hull. In such cases, a cowl, scoop, or a multiple installation of either will be accepted by the Coast Guard law enforcement officer, provided:

(1) The cowl(s) or scoop(s) is installed as described in paragraph (3).

(2) The cowl(s) or scoop(s) faces to the rear or vertically, thus directing any backfire flames to the open atmosphere.

(3) There is no provision for carrying passengers behind the forward edge of the engine. (See Figure 6-16.)

(4) Cowls or scoops must:

(a) Have all connections flame tight, firmly secured.

(b) Be mounted so as to direct the backfire flames away from the boat and its occupants, not sideways, but over the transom or vertically.

(5) If this system is used, the boat should not be operated in a manner in which docks, other persons and other boats might be damaged in the event of a backfire.

6.E.2.a.(5)(Continued)

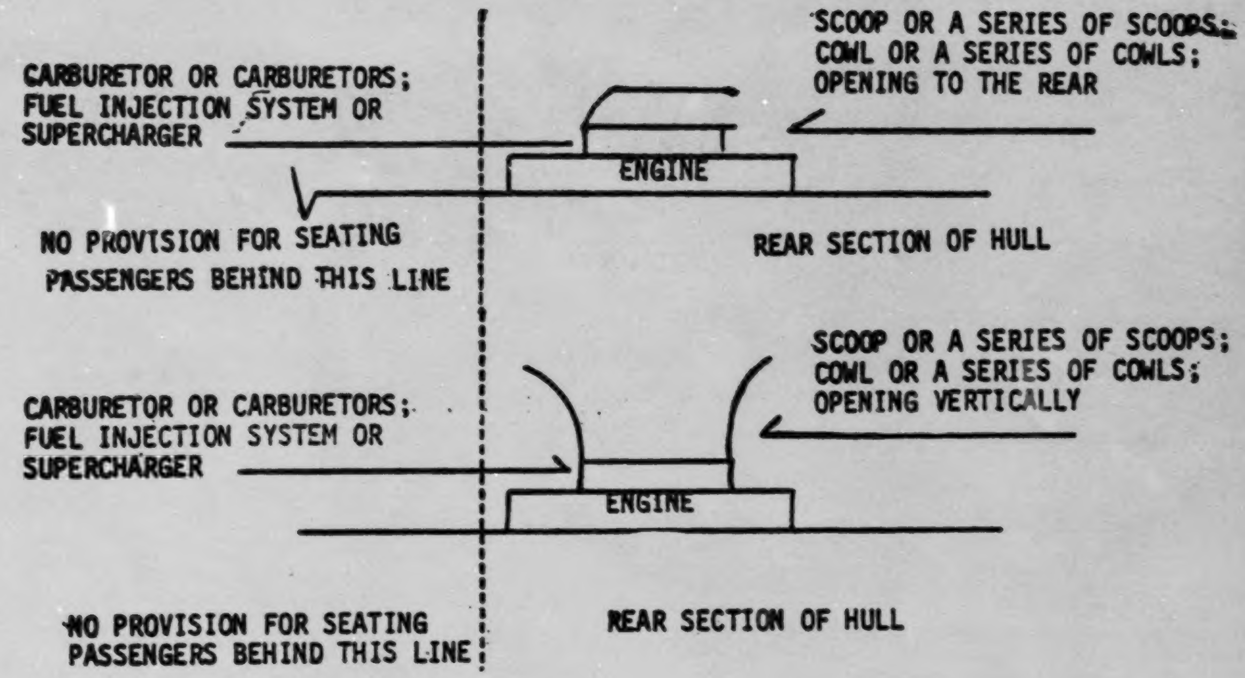

CARBURETOR OR CARBURETORS; FUEL INJECTION SYSTEM OR SUPERCHARGER
SCOOP OR A SERIES OF SCOOPS; COWL OR A SERIES OF COWLS; OPENING TO THE REAR
ENGINE
NO PROVISION FOR SEATING PASSENGERS BEHIND THIS LINE
REAR SECTION OF HULL
CARBURETOR OR CARBURETORS; FUEL INJECTION SYSTEM OR SUPERCHARGER
SCOOP OR A SERIES OF SCOOPS; COWL OR A SERIES OF COWLS; OPENING VERTICALLY
ENGINE
NO PROVISION FOR SEATING PASSENGERS BEHIND THIS LINE
REAR SECTION OF HULL

Figure 6–16

c. Figure 6–16 shows a scoop facing aft and a scoop with a vertical opening.

d. A motorboat engine may be exempt from the "attachment to the carburetor" requirement provided all the following conditions are met:

(1) The engine must be located in the aftermost part of the boat.

(2) The engine must be equipped with a down draft carburetor.

(3) There is no provision for carrying passengers behind the forward edge of the engine.

(4) The top of the air induction system (carburetor) must be located above (gunwale) line of the boat; if the boat is equipped with an engine box or cover, the air induction system (carburetor) must extend outside (open to the atmosphere) the engine box or cover.

3. EXAMINATION

a. As a boarding officer, you should make sure the following requirements are met in examining flame arresters:

(1) Determine that the flame arrester is Coast Guard approved.

(2) Make sure the arrester is mounted on securely so as to cause flame tight connections.

(3) There is no separation of the grid elements. The reason for this is that if the grid elements are separated in any way, the arrester no longer would contain fire from a backfire.

(4) The elements of a properly maintained flame arrester should be clean and free of foreign matter. Boarding officers who observe dirty or fouled flame arresters during an inspection or boarding should advise the boat operator that periodic cleaning of the arrester will help his engine run more efficiently and prevent corrosion. This is not to be construed to mean that a dirty flame arrester is unserviceable. There is no evidence that the accumulation of oil or other matter renders the device unsafe or unserviceable.

(5) Also, it has been policy not to accept the use of gaskets between the arrester and the carburetor. It has since been determined that this choice should be left to the discretion of the manufacturer since the advantages of using gaskets in some cases outweight the disadvantages. Although gaskets will now be permitted, they must comply with the regulations concerning materials, construction, workmanship and

6.E.3.a.(5)(Continued)

must be non-wicking. Installation shall be such that the flame arrester shall not be capable of being misaligned and shall make a snug fit when connected without the gasket. Gaskets shall not be used as adaptors for improperly sized backfire flame arresters. Before a flame arrester can be approved with a gasket, it must be tested with a gasket. Where a flame arrester is approved using a gasket for testing, it must be marketed with the gasket.

F. MARINE SANITATION DEVICES (MSDs)

1. REQUIREMENTS

a. After 30 January 1980, all vessels with an installed toilet must have an installed, certified marine sanitation device (MSD) attached to the toilet. Direct discharge toilets are illegal after this date unless the vessel is operating under a waiver granted by COMDT (G-WEP).

b. Vessels 65 feet in length and under may install a Type I, II or III MSD.

c. Vessels over 65 feet in length must install a Type II or III. Type I MSDs are not allowed on "existing" vessels (built before 30 January 1975) unless they were purchased before 30 January 1978 and installed before 30 January 1979. Type I MSDs installed on "new" vessels (built after 30 January 1975) are allowed if installed before 30 January 1980. After 30 January 1980, all vessels over 65 feet in length, regardless of "new" or "existing" vessel designation, must install Type II or III MSDs.

TYPE I DEVICE – Flow-through; effluent USCG certified to 1000 fecal coliform/100 ml, no visible floating solids standard.

TYPE II DEVICE – Flow-through; effluent USCG certified to 200 fecal coliform/100 ml, 150 mg/1 total suspended solids standard.

CERTIFIED MARINE SANITATION DEVICES SUITABLE FOR USE ON SMALL VESSELS

Manufacturer	Model	Type	Capacity	Chemical Charge	Current Draw(12v)	Price Approx.
Marlan Environmental Sys. 227 N. Main Street Walworth, WI 53184	Sani-head conversion module	III	50 flushes	deodorant	—	$139.00
Danforth 500 Riverside Industrial Parkway Portland, ME 04103	D-1000EP	I	unlimited	chlorine-base tablets	1.405 amp/hrs per flush	845.00
	D-1000 RP	I	unlimited			952.00
Firestone Coated Fabrics Company Box 887 Magnolia, AR 71753	Flex-N-fit tanks	III	15 gals	deodorant	—	159.00
		III	30 gals	deodorant	—	185.00
		III	40 gals	deodorant	—	200.00
		III	100 gals	deodorant	—	423.00
Galley Maid Marine Products, Inc. Box 10417 Rivera Beach, FL 33404	Delta Marine Central Sys.	I	1330 gals/day flush	chlorine pellets	45 amps 10 sec	2310.00
	Delta Marine Indiv. Sys.	I	1–4 people per flush	chlorine pellots	45 amps	1193.00
Humphrey Marine Sewage Systems, Inc P.O.Box 341 Del Mar, CA 92014	Model 10	II	1–8 people	chlorine pellets	10 amps per flush	1095.00
Mansfield Sanitary, Inc. 201 Wayne Street Big Prairie, OH 44611	TDX-E	I	unlimited	Formalin solution	8 amps. per 25–40	669.00
	TDX-M	I	unlimited	Formalin	flushes solution	489.00
	911-M28	III	9 gals	deodorant	—	179.00
	912-M28	III	9 gals	deodorant	—	179.00
	Series 4000 Holding Tanks	III	15 gals rigid	deodorant	—	116.00
		III	16 gals rigid	deodorant	—	129.00
		III	20 gals rigid	deodorant	—	119.00
		III	30 gals rigid	deodorant	—	189.00
		III	40 gals rigid	deodorant	—	199.00
		III	55 gals rigid	deodorant	—	275.00
(* When used with holding tank or TDX.)	Vacu-Flush 800 Series	III	unlimited	—	2–6 amps per flush	549.00 549.00
Microphor, Inc. P.O. Box 490 Willits, CA 95490	M-8	II	2 people	chlorine tablets	— 450.00	400.00
	M-10	II	3 people	chlorine tablets	—	
	M-12	II	3 people	chlorine tablets		
	M-14	II	4 people	chlorine tablets	—	
Monogram Industries, Inc. 4030 Freeman Blvd. Redondo Beach, CA 90278	Handihead	III	3 gals = 40 flushes	deodorant	—	123.00
Raritan Engineering Co. 1025 N. High Street Millville, NJ 08332	Lactra/San	I	unlimited	hypochlorous acid	1.5 amp/hrs per flush	525.00
	CHT tank	III	5 gals	deodorant	—	96.00
	PHT-15	III	15 gal flex.	deororant	—	180.00
	PHT-30	III	30 gal flex.	deodorant	—	220.00
Thetford Corp. Box 1285 Ann Arbor, MI 48106	SeaFarer	III	4 gals	deodorant	—	125.00
	Electra Magic	III	7 gals	deodorant	5 amps per flush	249.00
Wilcox-Crittenden Div. Gulf & Western Mfg. Co. 699 Middle Street Middletown, CT 06457	6021	III	15 gal flex.	deodorant	—	132.00
	6022	III	30 gal flex	deodorant	—	172.00
	6012	III	10 gal rigid	deodorant	—	109.00
	6013	III	17 gal rigid	deodorant	—	182.00
	6014	III	23 gal rigid	deodorant	—	210.00

Note: Holding tanks storing only sewage and flushwater at the surrounding air temperature and pressure are certified by regulations (33 CFR 159.12a) but will not be labeled as certified. The MSD's listed above are the ones that may be labeled under the regulations, but they should not be considered as the only ones approved by the Coast Guard, many holding tanks also being certified under 33 CFR 159.12a.

Table 6–1

6.F.1.c.(Continued)

TYPE III DEVICE - USCG certified to no-discharge standard.

2. CERTIFICATION

a. All MSDs must be tested and approved by the Coast Guard prior to certification, with the following exceptions:

(1) Holding tanks are certified under a clause in the regulations (33 CFR 159.12a) if they store sewage and flush water only, at ambient air temperature and pressure.

(2) Type III MSDs installed on a vessel prior to 30 January 1975 are certified under a "grandfather" clause in the regulations (33 CFR 159.12(b)).

(3) MSDs manufactured before 30 January 1976 may be certified under a "grandfather" clause in the regulations (33 CFR 159.12(c)) if they can meet the effluent standards or can be shown to be substantially equivalent to a certified device. Devices meeting the effluent standards under this clause need not meet the other testing requirements and will be issued a letter of certification.

b. All MSDs tested and certified by the Coast Guard will carry a label with the name of the manufacturer and the certification number. Devices certified under items (1), (2) or (3) above **can not have a certification label**, even though they are certified.

3. NO DISCHARGE AREAS

a. A vessel may carry any type MSD permissible under the regulations, a TYPE III installation not being required for a vessel to operate in a no-discharge area. However, a Type I or II flow-through MSD must be adequately secured while the vessel is in the area to prevent any overboard discharge of treated or untreated sewage. Closing the seacock and padlocking, using a non-releasable wire-tie, or removing the seacock handle would be sufficient. Locking the door to the head is another acceptable method of securing the MSD.

4. Y-VALVES

6.F.4.(Continued)

a. Federal regulations do not specifically prohibit the installation of Y-Valves, therefore, Y-Valves may be installed on any MSD to provide for direct discharge of sewage when the vessel is outside U.S. waters. The valve must be secured in the closed position while operating in U.S. waters. Use of a padlock, heavy tape, non-releasable wire-tie, or the removal of the valve handle would be considered adequate securing of the device. The method chosen must be one that presents a physical barrier to the use of the valve, accidentally or intentionally, and where surreptitious use could not occur without the owner/operators' knowledge.

5. PORTABLE TOILETS

a. Portable toilets are not considered installed devices and therefore are not subject to the regulations. Vessels may not use a portable device as a substitute for a direct discharge toilet and comply with the regulations. Either the direct-discharge toilet must be hooked into a certified MSD or it must be removed or permantly disconnected, in which case the vessel no longer has an installed head and does not come under the regulations. Small vessel owners, such a daysailers, may find that the cheapest option ($80–125) is to remove their installed toilet and substitute a portable device.

6. PUMP-OUT FACILITIES

a. An area declared a no-discharge area by the EPA will have adequate pump-out facilities. It is a requirement that must be met prior to receiving EPA's no discharge designation. In other areas, check with your local marinas and marine dealers. The Coast Guard has no funding or statutory authority to build or require the building of these facilities.

7. METHANE GAS IN MSDS

a. Methane gas is a by-product of the basic living functions and vital processes of certain types of bacteria that require an oxygen-free atmosphere for survival, elemental oxygen being lethal to them. These are called anaerobic bacteria.

b. Type I and Type II MSDs that macerate the sewage prior to chemical treatment and discharge preclude any significant activity through the mixing action. Type II MSDs utilizing aerobic digestion for treatment require an oxygenated environment which also inhibits **anaerobic** (oxygen-free) activity. Even with ideal conditions, the growth cycle of these organisms is slow enough that the flushing action would remove the bacteria before more significant quantities of methane could be produced.

c. Type III MSDs, in this instance holding tanks, are required to be adequately vented, in which case the introduction of oxygen is guaranteed. The continual movement of the vessel insures that enough agitation of the sewage occurs to prevent the growth of methane producing organisms. The use of a holding tank deodorant with a biocide, or any other oxidising agent such as hydrogen peroxide, will further inhibit any bacteria. The Coast Guard has installed holding tanks on our cutters, and the Navy has done so on many of their vessels. There has not been a single safety problem with methane gas. The environmental conditions aboard ship are not conducive to producing the concentration of methane gas necessary to pose a hazard of an explosion.

8. CHLORINE DISCHARGE HARMFUL TO ENVIRONMENT

a. Considering present levels of technology, chlorination still appears to be the best available means by which to disinfect water to an acceptable level. The Coast Guard, Environemntal Protection Agency (EPA), and Department of Health, Education and Welfare (HEW) have recognized the shortcomings of chlorine. However, the regulations must be based on proven technology, and that technology replaced only when an alternative is proven and widely accepted.

b. The final report of the Drinking Water Disinfection Ad Hoc Advisory Committee, published in March 1977 by HEW, basically supports the continued use of chlorine. This report is available through the Center for Disease Control, Atlanta, Georgia. The report states, in part, that "water purification has contributed in a major way to the decrease in death rate from typhoid fever and other waterborne diseases. A number of methods have been used or proposed . . . but the most common ones are chlorination and ultraviolet (U/V) light treatment". The report goes on to say that even considering the objectionable qualities of chlorine, it is still preferred because the U/V irradiation equipment must have appropriate

6.F.8.b.(Continued)

fail-safe devices to detect malfunctions, and the performance of the system must be monitored more carefully, because there is no chemical or physical evidence of treatment.

c. It is sometimes said that the chlorine problem is far greater that than that which it is supposed to cure. However, the presence of fecal coliform bacteria in a sanitary system discharge is considered to be indicative of the possible presence of disease producing (pathogenic) organisms. The feces of warmblooded animals (especially man) are the most significant sources of these organisms. Polluted waters cause contaminated oysters, clams, and other shellfish. Man has contracted chlorea, typhoid, dysentery, and other diseases from water polluted by human sewage.

d. The actual levels of residual chlorine in small vessels MSD discharges range from 150 to 225 parts per million (ppm). An MSD discharge may contain approximately 200 ppm (in the pipe), but the second it contacts the receiving waters the massive dilution renders the chlorine content negligable.

9. **WAIVERS**

a. Vessel owners experiencing difficulties in complying with the regulations may apply for a waiver by writing to:

Commandant (G-WEP/TP12)
U. S. Coast Guard
2100 Second Street, S.W.
Washington, D. C. 20593
Phone number (202) 426-9578

b. The Coast Guard expects to grant few waivers, limiting them to cases where no MSD or alternative is available for use on a vessel. Limited waivers of the deadline may be granted when production backlogs or lack of yardtime prevents installation by 30 January 1980. In all cases, the granting of a waiver will be contingent upon proof of a good faith effort to comply, such as the purchase or commitment to purchase and install a MSD. Last minute efforts to comply will not be considered as meeting this requirement.

10. **ENFORCEMENT**

6.F.10.(Continued)

a. No special program will be undertaken to enforce the MSD regulations. Inspections will be in conjunction with normal pollution prevention and safety boardings. A citation shall be issued for each violation including first violations. Written warnings may be issued by the boarding officer/inspecting office if a good faith effort to comply can be documented by the owner/operator and verification of later compliance is possible. Presentation of an order or a commitment to purchase a MSD and unavoidable delays in delivery or installation would be considered a good faith effort. Written warnings will specify a reasonable compliance date after which monetary penalty action may be initiated. No monetery penalty action would be started prior to the compliance date specified in the warning.

b. In all cases where no good faith effort to comply by the effective date of the regulations can be documented to the boarding officer/inspecting office, the violation report shall be forwarded to the approiate district program manager for consideration of whether penalty action should be instituted.

11. THREAT POSED BY SEWAGE FROM SMALL BOATS

a. The responsibilities of the Coast Guard and Environmental Protection Agency (EPA), with regard to MSDs, are a direct mandate of Congress as expressed in Section 312 of the Federal Water Pollution Control Act (FWPCA), as amended.

b. The ultimate goal of the FWPCA is that the discharge of pollutants into the waters of the United States be eliminated by 1985. Many provisions in the Act are directed toward attaining these goals. These provisions include the development of effluent limitations for industrial and municipal discharges. The management of sewage from vessels is only one aspect of the total program to protect and enhance the quality of the nation's waters.

c. Based on data obtained from the 1975 nationwide Boating Survey published in March 1978, recreational boats with installed toilets represented approximately 8% of the total recreational boats in the U.S. waters, and amounts to about 1 million boats. When other data is considered, such as frequency of use, outings per boat per year, and average number of persons on board, we arrive at a minimum figure of

6.F.11.c.(Continued)

over 750,000 people on these vessels for 6 hours a day, every day of the year.

d. There is a great deal of data which has been compiled by the various states. Reports based on such data show the detrimental effects of sewage pollution on shellfish and water quality in general. One such report from the Commonwealth of Virginia, Department of Health, published in June 1977, provides data on condemned shellfish areas. Over 10% of the productive shellfish areas condemned in the state were condemned because of pollution by small vessel sewage. This amounts to a total of 9,417 acres of productive shellfish area in Virginia condemned due to vessel sewage alone.

e. The standards are not against human sewage per se. The standard or established test with regard to water quality and sewage effluent is the test for **fecal coliform** bacteria, which is an indicator of excreta from warm blooded animal. These tests prove to be very valid water quality indicators, since disease producing organisms are most frequently found to be present when fecal coliform bacteria are present. These organisms, found in waterborne human wastes, often find their way into our drinking water supplies, and have the ability to cause diseases in humans. Therefore, the potential health hazard increases as the fecal coliform bacteria count rises.

f. There are problems to overcome, and the restoration and preservation of our deteriorating environment is not any easy task for any of us. Unlike previous generations, we can no longer take refuge in the luxury of being able to "let the next generation worry about it."

6.

G. SOUND PRODUCING DEVICES (SPDs)

1. REQUIREMENT

a. Motorboats of 16 feet to not more than 65 feet must have a sound-producing device aboard. This requirement does not apply to motorboats engaged in a race which has been previously arranged or announced. Table 6-2 is a table of requirements for sound producing devices. You will note in this table that the device may be mouth, hand, or power operated. This requirement is determined by the length of the boat.

6.G.1.a.(Continued)

Table 6–2

Motorboat Act Rules

Length of Motorboat	Type of device
Less than 16'	None.
16' to less than 26'	Mouth, hand, or power operated, capable of producing a blast of 2 seconds or more duration, and audible for at least one-half mile.
26' to less than 40'	Hand or power operated, capable of producing a blast of 2 seconds duration, and audible for a distance of at least 1 mile.
40' to not more than 65'	Power operated, capable of producing a blast of 2 seconds duration, and audible for a distance of at least 1 mile.

6.G.1.a.(Continued)

Table 6-3

COLREGS

Length of Vessel	Type of device
Less than 12m	Some means of making an efficient sound signal.
12m to less than 20m	Whistle audible for 1/2 mile (120 db).
20m to less than 75	Whistle audible for 1 mile (130 db).

2. GENERAL

a. Up to this point of the chapter all the equipment we have talked about has had to be Coast Guard approved or certified. Sound producing devices are not Coast Guard approved nor do they have an approval number listed on them. The only requirement for a sound producing device is that they be aboard the boat when in operation and meet the requirements.

QUESTION:	What type of horn is that shown in Figure 6-17?
ANSWER:	This type horn is considered power operated.

6.G.2.a.(Continued)

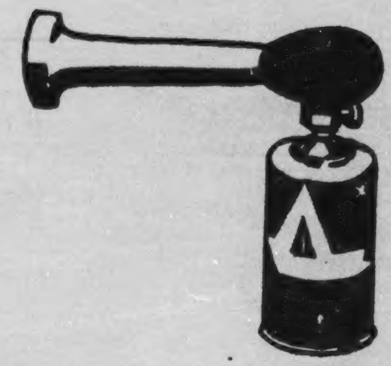


Figure 6–17

3. BELL

a. **General**—Motorboats 26 feet to not more than 65 feet shall carry a bell capable of producing a **clear bell-like tone of full round characteristics. The bell may be carried inside the cabin,** but provision should be made so that it may be mounted outside for use as a navigational warning when the boat is anchored under conditions of low visibility. **This is of course only a recommendation, not a requirement.** Motorboats engaged in a race which has been previously arranged or announced, or while tuning up for this race, need not carry a bell. Bells are not Coast Guard approved equipment. A bell such as a cow bell is not acceptable as it does not produce the required tone. Likewise, beating on a cooking pot with a spoon would not do the job as a bell unless it produced a clear bell like tone of full round characteristics.

H. VENTILATION

1. REQUIREMENT FOR BOATS WITH CONSTRUCTION DATES AFTER 25 APRIL 1940 BUT PRIOR TO 1 AUGUST 1980

6.H.1.

a. Under the authority of the Motorboat Act of 1940, the regulation (46 CFR 25.40) states:

> "All motorboats or motor vessels, except open boats, **the construction or decking over of which is commenced after April 25, 1940**, and which use fuel having a flash point of 110°F. or less, **shall have at least two ventilator ducts, fitted with cowls or their equivalent**, for the efficient removal of explosive or flammable gases from the bilges of **every engine and fuel tank compartment**. There shall be at least one exhaust duct installed so as to extend from the open atmosphere **to the lower portion of the bilge** and at least one intake duct installed so as to extend to a point **at least midway to the bilge or at least below the level of the carburetor air intake**. The cowls shall be located and trimmed for maximum effectiveness so as to prevent displaced fumes from being recirculated."

b. The term "open boats" means those motorboats or motor vessels with all engine and fuel tank compartments, and other spaces to which explosive or flammable gases and vapors from these compartments may flow, open to the atmosphere and so arranged as to prevent the entrapment of such gases and vapors within the vessel.

c. The current criteria for determination of an "open compartment" is that three conditions must be met in order to consider an engine or fuel compartment open to the atmosphere and therefore exempt from Federal ventilation requirements. These three conditions are:

(1) Engine and fuel tank compartments shall have as a minimum 15 square inches of open area directly exposed to the atmosphere for each cubic foot of net compartment volume.

(2) There must be no long or narrow unventilated spaces accessible from such compartments in which a flame front could propagate.

(3) Long narrow compartments (such as side panels) if joining engine or fuel compartments and not serving as ducts thereto, shall have at least 15 square inches of open area per cubic foot provided by frequent

6.H.1.c.(3)(Continued)

openings along the full length of the compartment formed.

d. Boats as defined in the Federal Boat Safety Act of 1971 built after 31 July 1979 are excepted from the requirements of paragraph (a) for fuel tank compartments that --

(1) comply with the requirements of 33 CFR 183.410(a); and

(2) contain fuel tanks that vent to the outside of the boat.

e. Due to the limitations set forth in the Motorboat Act of 1940, the only spaces required to be ventilated on boats **are engine compartments** and bilges of **fuel tank compartments. No other space is required** by the regulation to be equipped with ventilators, even though it is arranged or located so that it can or does accumulate flammable vapors. The existence of such a compartment would require the presence of a properly approved fire extinguisher, but there would be **no regulatory requirement** that it be ventilated. Certainly any compartment which is a hazard due to probable entrapment of gasoline should be ventilated in the interest of safety. However, under the present regulations, such ventilation cannot be enforced for other than **engine and fuel tank compartments.**

NOTE: No ventilation is required in a fuel tank compartment where the net volume of open space is less than one cubic foot.

2. GUIDELINES OF TERMS USED

a. Several other terms used in the ventilation regulations require additional definition to insure uniform application. These terms include:

(1) "Ventilation ducts" size and materials.

(2) "Cowl" designs.

(3) "Equivalent," as pertaining to required cowls.

(4) "Located and trimmed for maximum effectiveness."

6.H.2.a.(Continued)

(5) "In such a manner so as to prevent displaced fumes from being recirculated."

(6) "Lower portion of the bilge."

(7) "Open to the atmosphere."

b. Unfortunately, as the need for these definitions arose, they were not incorporated into the regulations as changes or interpretive rulings. Consequently, specific definitions have come only in the form of guidelines. Since **these guidelines are not enforceable** the effectiveness of their application is dependent upon the safety consciousness of the boat owner and the manufacturer. Promotion of such safety consciousness is a primary responsibility of each enforcement official. An explanation of these terms is as follows:

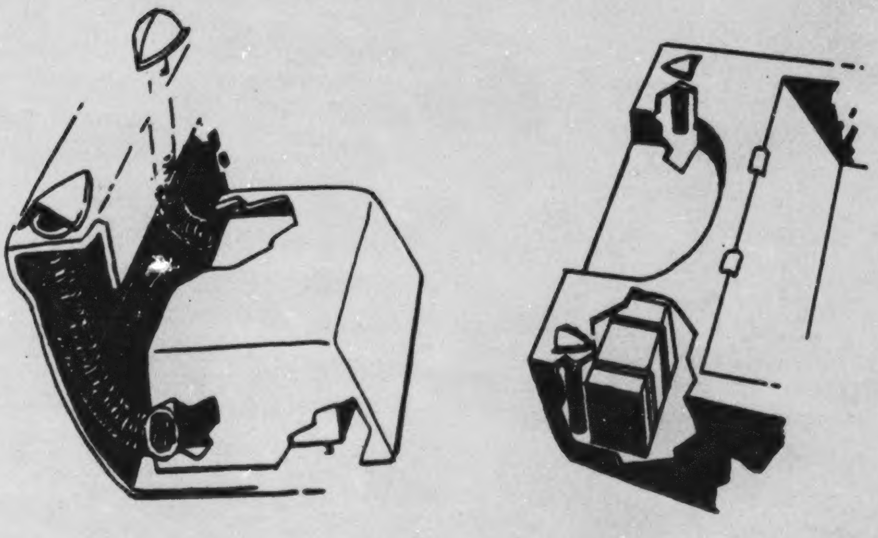


Figure 6–18

(1) **Ventilator Ducts.** Ventilator ducts of spiral wound wire reinforced plastic and similar construction should be firmly mounted to the rigid structure at both ends. Some exhaust ducts have been found to sag so that

6.H.2.b.(1)(Continued)

their lower openings were blocked by the flat bilge bottom or liquids in the sump. Ducting should be 2" in diameter.

QUESTION: Would a large boat require a bigger size than 2" ducting or do all vessels require the same size?

ANSWER: The larger the compartment, the larger the ducting should be. There is no requirement for the size of ducting to be used other than our policy of only accepting ducting which is at least 2" in size.

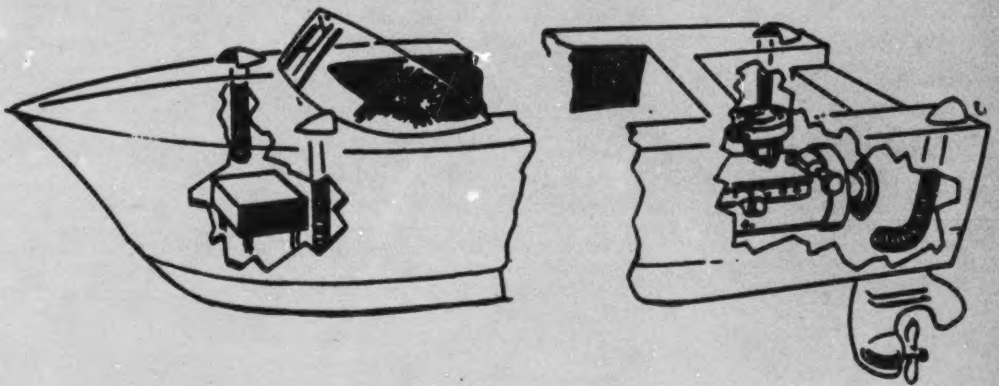


Figure 6–19

(2) **Cowls.** Acceptable "cowls" designs include full cowls, half cowls, clam shells, and louvers and vanes which project from the surface so as to simulate a series of clam shells.

6.H.2.b.(2)(Continued)

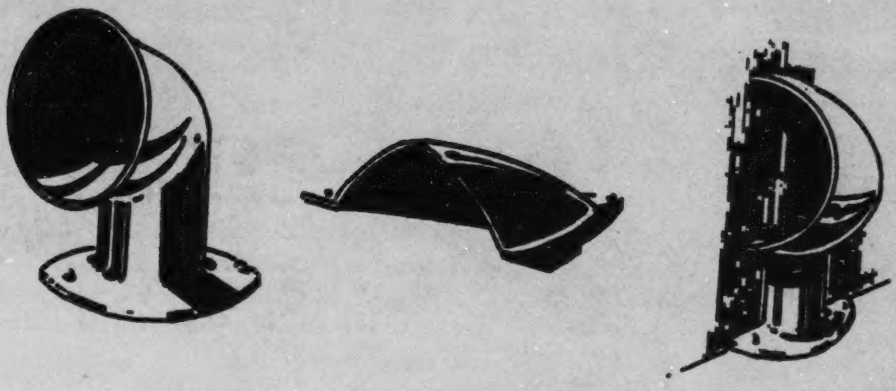


Figure 6–20

(3) **Equivalents**. Adequately sized wind actuated rotary exhausters and semi-flush louvers with vanes projecting **at least one-half inch** into the open air may be considered "equivalent" to cowls on exhaust ducts. A 1965 directive by the Commandant provided a precedent for the additional consideration of a power blower in the exhaust duct as "equivalent" to having a cowl on the duct. When properly installed, these blowers "should not interfere with the functioning of the ducts as natural ventilators." Since these ducts would probably not function as natural ventilators (blower not running) without exhaust cowls, it is considered inconsistent to exclude the requirement for cowls on power exhaust systems. However, in view of the precedent established in 1965, the installation of cowls on ducts containing power exhaust blowers can only be advised, not enforced.

(4) **Maximum Effectiveness**. In a typical cabin cruiser, where the cabin is not completely sealed off from the engine spaces, the natural air flow in the below deck spaces is from aft, forward. Therefore, when a double intake and exhaust system is used on such vessels, "maximum effectiveness" is normally realized by placing the intake cowls forward (as you face forward) and the exhaust cowls aft (as you face aft). Attention should also be paid to the placement of

6.H.2.b.(4)(Continued)

ventilation cowls so that they will not be obstructed by normally seated passengers or by awnings, camper tops or other flexible covers. **While the location and trimming of cowls "for maximum effectiveness" is a requirement of the regulations, enforcement is difficult since the necessary guidelines do not carry regulatory authority.** Therefore, until the regulations are revised, it is suggested that (with the exception of obvious and flagrant violations, which must be corrected) location and trim problems be discussed with the boat owners on an **advisory basis.**

(5) **Recirculation.** Generally, a four foot horizontal separation between intake and exhaust cowls, which are **facing each other on the same plane,** will provide sufficient dispersal of fumes to prevent undesirable recirculation. For each three inches that the intake is above the exhaust, the horizontal distances can be reduced by one foot without undue harm. Similar separations between the fuel fill opening (to the interior of the boat) on the same plane should be **encouraged** to reduce entry of vapors during fueling.

(6) **Lower Portion of the Bilge.** Due to the wide variety of hull configurations and interval arrangements, the lower portion of the bilge is somewhat difficult to define. In a hard chine boat this "lower portion" is considered to be below the chine in the amidships and after parts of the boat. However, note that the bilge depth (under this definition) would vary with the amount of deadrise. **Enforcement personnel must exercise discretion in the application of the exhaust duct arrangement requirements.** In all cases the duct should be located so as not to be obstructed by normal accumulation of bilge water. In the case of compartments isolated from the bilges (as are some fuel tank spaces) the "lower portion" is generally considered to be the lower **one-third of the space.**

6.H.2.b.(6)(Continued)

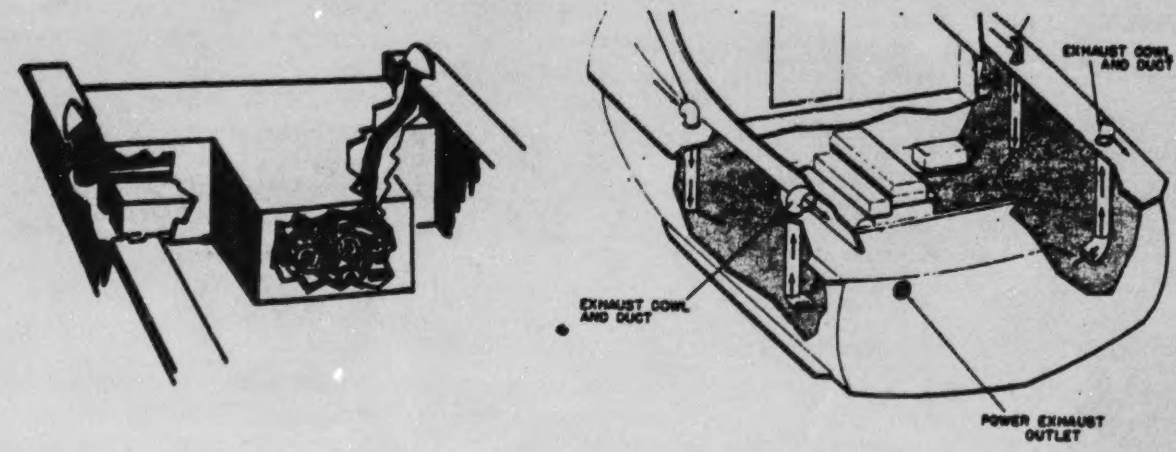


Figure 6–21

(7) **Open to the Atmosphere.** Under the definition of "open boats" we find that all low spaces must be "open to the atmosphere and so arranged as to prevent the entrapment of ... vapors within the vessel." Closure of any such space, even by temporary curtains, to the extent that the remaining clear opening does not meet the recommendations, is not considered advisable. **The provision which exempts open boats from the ventilation requirements is based on the premise that air flow over the boat will clear all areas into which vapors may flow.** Curtains are just as effective as fixed bulkheads in preventing such purging, unless there is ample space for air flow around and beneath the curtains. However, it should be pointed out here, again, that discretion must be used in determining whether or not there is sufficient open area for exemption, since the existing guidelines are advisory only.

3. MECHANICAL BLOWERS

a. **Mechanical Blower Systems are not required but are preferable.** The reason for this is to provide a positive means of exhausting vapors when there is little or no movement of air (calm days). Especially before starting engines, when the explosion risk is greatest, mechanical blowers are recommended for engine spaces. It is suggested that ducting separate from the natural ventilation system be installed. Exhaust blowers should be of the sealed or arcless type and if located within the compartment being ventilated be as high as possible. Blower fan blades or impellers should be **non-sparking** and if installed on the exhaust duct of the natural system should not interfere with the functioning of the ducts as natural ventilators. **Exterior terminations of power exhaust ducts may be fitted with louvered fitting instead of cowls.**

b. **Examination:**

(1) Insure that there are two ventilating ducts equipped with cowls or their equivalent, that they are free from obstructions, and the ducts are 2" in diameter, and installed to proper levels. (Note ducts should not be installed so low in the bilges that they may become obstructed by normal accumulation of bilge water.)

(2) In mechanical system, check blower operation by feeling exhaust with hand or other means to detect air circulation.

(3) If fuel tank and engine compartments are not interconnected, each compartment will **require a separate** ventilating system. However, if the two separate compartments have a common bilge (interconnected) and the flow of vapor between them is not restricted, then **separate ventilating systems for each compartment are not required.**

4. OPERATOR COMPLIANCE AND BOATS BUILT AFTER 31 JULY 1980:

a. (With reference to para. 175.31 33 CFR Part 175) No person may operate a boat built after 31 July 1980, that has a gasoline engine for electrical generation, mechanical power, or

6.H.4.a.(Continued)

propulsion unless it is equipped with an operable ventilation system that meets the requirements of 33 CFR 183.610(a) and 183.620(b), 621-111 and 621-113 respectively. (For complete information see Chapter 7.)

QUESTION: A cabin cruiser has a cooking propane stove in the galley; is it required to have the galley ventilated?

ANSWER: No. You as a boarding officer would highly recommend the compartment be ventilated, but the law only requires engine and fuel tank compartments which are closed to be ventilated. This same situation would require a fire extinguisher aboard the cruiser.

QUESTION: A motorboat has a fuel tank in a closed compartment in the bow and the engine located in a closed compartment in the stern. The bilge compartment of the boat is open from the bow to the stern. What type of ventilation system would meet the minimum requirements for the boat?

ANSWER: Inasmuch as the bilge is open from the bow to the stern, the fumes could flow from the bow to the stern or visa versa. This then, according to the regulations constitutes only one space. The owner of the boat could meet the minimum requirement by installing a cowl fitted with ducting pointed aft on the stern. The ducting would be at least 2" in diameter to be acceptable. This ducting must be extended to the middle of the bilge from the intake cowl and to the lowest most part of the bilge from the exhaust cowl. The exhaust ducting must not be so low that it would be blocked by bilge water.

I. OIL POLLUTION PREVENTION REGULATIONS

1. 33 CFR 155.360 Bilge slops on vessels less than 100 gross tons.

   a. No person may operate a vessel of less than 100 gross tons unless it has a fixed or portable means to discharge oily bilge slops to a reception facility.

2. 33 CFR 155.440 Placard.

   a. No person may operate a vessel, except **a foreign vessel or a vessel less than 26 feet in length,** unless it has a placard at least 5 by 8 inches, made of durable material, fixed in a

6.I.2.a.(Continued)

conspicuous place in the machinery spaces, or at the bilge and ballast pump control station, stating the following:

****

DISCHARGE OF OIL PROHIBITED

The Federal Water Pollution Control Act prohibits the discharge of oil or oily waste into or upon the navigable waters and contiguous zone of the United States if such discharge causes a film or sheen upon, or discoloration of, the surface of the water, or causes a sludge or emulsion beneath the surface of the water. Violators are subject to a penalty of $5,000.

****

3. 33 CFR 155.770 Machinery oil drains: U.S. vessels.

   a. No person may drain the sumps of oil lubricated machinery or the contents of oil filters, strainers, or purifiers into the bilge of any U.S. vessel.

J. LIGHTING REQUIREMENTS

(See Chapter 8 Rules of the Road.)

K. VISUAL DISTRESS SIGNALS

1. REQUIREMENTS

a. No person may use a boat 16 feet or more in length or any boat carrying six or less passengers unless visual distress signals selected from Table 6–4 in the number required, are on board. These devices will be on board in coastal waters, to clarify this coastal water means the territorial seas and the Great Lakes. Additionally, bays and sounds which, either directly or indirectly, open onto these bodies of water are included. Other bodies of waters, such as marshes, bayous, or saltwater ponds, are not included. Rivers are not included unless the distance across the mouth of the river is greater than two miles. In that case, the river would be included in coastal waters from the headlands up to the first point where the width of the river narrows to less than two miles.

b. Between sunset and sunrise, no person may use a boat less than 16 feet in length unless visual distress signals suitable for night use, selected from Table 6–4, in the number required is on board.

c. When a visual distress signal carried to meet the requirements requires a launcher to activate~~, then the~~ launcher carried must be approved also.

d. No person may use a boat unless the visual distress signal (VDS) required are readily accessible.

e. No person may use a boat unless each signal required is in serviceable condition and the service life of the signal, if indicated by a date marked on the signal, has not expired.

f. No person may use a boat unless each signal is legibly marked with the approval number or certification statement as specified in 46 CFR parts 160 and 161.

NOTE: When checking distress signals for serviceable condition check the device for dents, rust, and waterlogged condition which you as the boarding officer feel makes the signal unserviceable. DO NOT fire the device to check for compliance.

6.K.1.f.(Continued)

VISUAL DISTRESS SIGNALS ACCEPTED Table 6-4

Number Marked on Device	Device Description	Accepted for Use	Number Required to be Carried
160.021	Hand red flare distress signals	Day and night[1 & 2]	3
160.022	Floating orange smoke distress signals	Day only[1]	3
160.024	Pistol-projected parachute red flare distress signals	Day and night[1 & 3]	3
160.036	Hand-held rocket-propelled parachute red flare distress signals	Day and night[1]	3
160.037	Hand-held orange smoke distress signals	Day only[1]	3
160.057	Floating orange smoke distress signals	Day only[1]	3
160.066	Distress signal for boats, red aerial pytotechnic flare	Day and night[1 & 4]	3
160.072	Distress signal for boats, orange flag	Day only	1
161.013	Electric distress light for boats	Night only	1

Note 1: Any combination totalling number required may be used: (for example, one orange flat (160.072) and one electric light (160.013) may be used to meet day and night requirements. One hand red flare (160.021), one pistol-projected parachute red flare (160.024), and one red aerial pyrotechnic flare (160.066) may be used to meet day and night requirements, or one floating orange smoke (160.022), one hand-held orange smoke (160.037) and floating orange smoke (160.057) may be used to meet day only requirements.)

Note 2: These signals must have a date of manufacture of October 1, 1980 or later to be acceptable.

Note 3: The signals require use in combination with a suitable launching device approved under 46 cFR 160.028.

Note 4: These devices may be either self-contained or pistol launched, and either meteor or parachute assisted type. Some of these signals may require use in combination with a suitable lanuching device approved under 46 CRF 160.028.

2. EXCEPTIONS

a. The following persons need not comply with the VDS requirements, however, each must carry on board visual distress signals suitable for night use, selected from Table 6–4, in the number required, between sunset and sunrise.

(1) A person competing in any organized marine parade, regatta, race, or similiar event.

(2) A person using a manually propelled boat; or

(3) A person using a sailboat of completely open construction, not equiped with propulsion machinery, under 26 feet in length.

L. CHAPTER QUIZ

1. What boating safety equipment does the Coast Guard approve?

2. What is the penalty for the unauthorized use of "U.S. Coast Guard"?

3. How many sizes of Type I PFDs (life preservers) are there? What are the sizes called?

4. How many sizes of Type IV ring buoys are there? What sizes are they?

5. How many sizes of Type II PFDs are there? What are the sizes called?

6. Is the Type IV PFD a wearable device? Why?

7. What length of motorboats are Marine Buoyant Special Purpose devices approved for?

8. The Coast Guard approval number 160./... tells you that you are looking at what?

9. What should you look for when inspecting PFDs?

10. What are the four types of Coast Guard approved fire extinguishers for use on motorboats?

11. How many and what type and size fire extinguishers are required for each size motorboat?

1.44

12. How is the carbon dioxide (CO2) fire extinguisher checked?

13. Are flame arresters required on diesel engines?

14. What are the minimum requirements by length for sound producing devices?

15. What length boat must carry a bell?

[redacted]

16. What spaces are required to be ventilated if the boat was built before 31 July 1979?

17. Are the recommended practices for ventilation enforceable? What are they?

M. SUMMARY

This chapter has covered the equipment required by Federal law to be carried on boats, the techniques in examining this equipment, U.S. Coast Guard approval, the nomenclature of some of the equipment. This chapter contains 90% of the requirements you need to know to become an efficient Coast Guard boarding officer. Study it well and review it from time to time and your knowledge on the subject matter will reflect greatly on whether you do a good job or __?__

CHAPTER 7: MANUFACTURERS STANDARDS

A. INTRODUCTION

1. This chapter contains information concerning manufacturer safety standards, administrative regulations, and identifies certain elements which the boarding officer may examine for compliance. The enforcement of boating standards, however, rests with the boating standards officer assigned to each Coast Guard district. When violations of these regulations are observed by boarding officers, they should be reported to the district boating standards office in accordance with current 16750 series Commandant and District Instructions.

B. LEGAL AUTHORITY

1. Section 5 of the Federal Boat Safety Act of 1971 (FBSA'71) authorizes the Coast Guard to issue safety standards for boats and associated equipment.

2. Section 7 of the FBSA'71 enables the Coast Guard to require the display of labels, plates, etc. for the purpose of certifying compliance with existing Federal safety regulations.

3. Section 15 of this Act enables the Coast Guard to require manufacturers of boats to correct at their sole expense any product which is built in noncompliance with the safety standards, or which contains a defect which presents a substantial risk of personal injury to the boating public.

C. DEFINITION OF TERMS USED IN THIS CHAPTER

1. To better understand this section a definition of terms is provided:

   a. **MONOHULL BOAT:** Means a boat upon which the line of intersection of the water surface with the boat at any operating draft forms a single closed curve. For example, a catamaran, a trimaran, or pontoon boat is not a monohull boat.

   b. **DATE OF CERTIFICATION:** The date upon which a boat or item of associated equipment is certified to comply with all applicable U.S. Coast Guard safety standards in effect on that date. This date of certification may be any time between when construction began and when the boat left the place of manufacture.

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c. **SAFETY STANDARD**: A standard which a manufacturer must comply with, as stated in 33 CFR 183. Level flotation and safe powering are two examples of safety standards.

d. **ADMINISTRATIVE REGULATION**: A regulation which a manufacturer must comply with as stated in 33 CFR 181. Hull Identification Numbers and Certification Labels are examples of administrative regulations.

D. ADMINISTRATIVE REGULATIONS (33 CFR 181)

1. HULL IDENTIFICATION

a. **APPLICABILITY**: This regulation applies to all boats to which Section 4 of the FBSA'71 applies (boats built after 1 November 1972).

b. **EXAMINATION**: The boat must contain a hull identification number consisting of 12 characters as follows:

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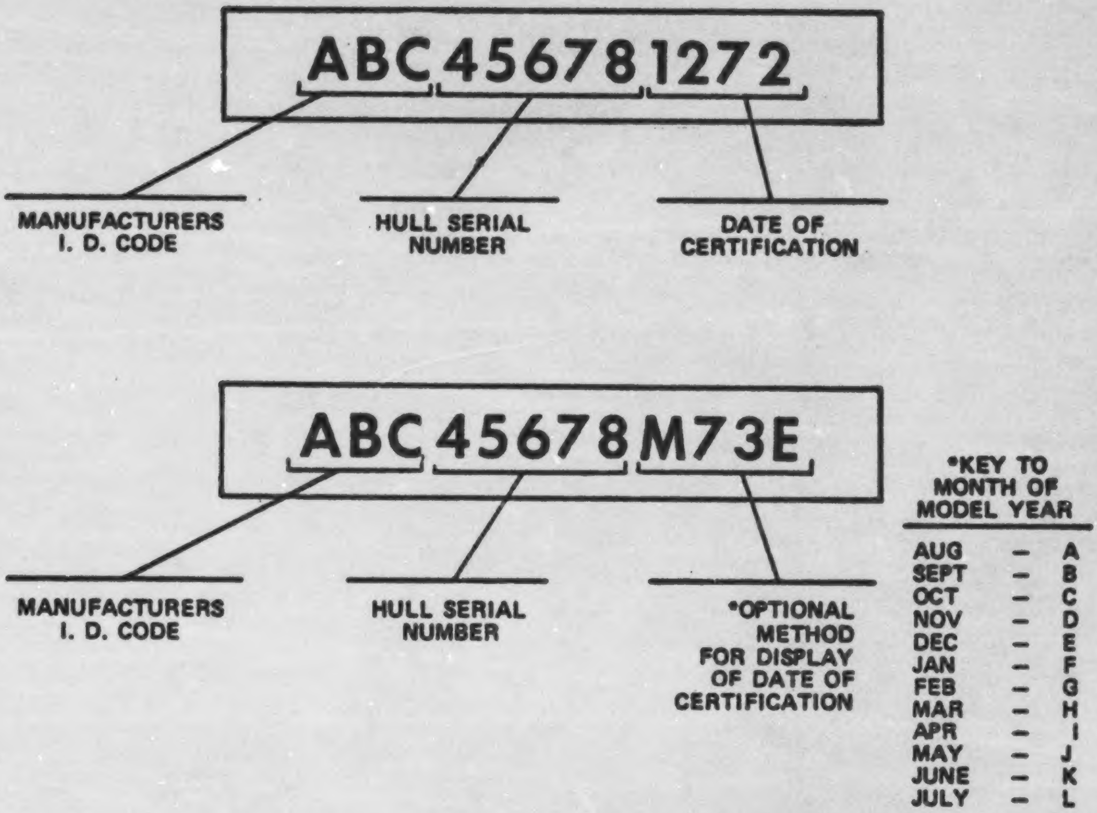
7.D.1.b.(Continued)


ABC456781272
MANUFACTURERS I. D. CODE
HULL SERIAL NUMBER
DATE OF CERTIFICATION
ABC45678M73E
MANUFACTURERS I. D. CODE
HULL SERIAL NUMBER
*OPTIONAL METHOD FOR DISPLAY OF DATE OF CERTIFICATION
*KEY TO MONTH OF MODEL YEAR
AUG – A
SEPT – B
OCT – C
NOV – D
DEC – E
JAN – F
FEB – G
MAR – H
APR – I
MAY – J
JUNE – K
JULY – L

HULL IDENTIFICATION NUMBER (H I N) FORMAT

FIGURE 7–1

c. The hull identification number must be carved, burned, stamped, embossed, or otherwise permanently affixed to the outboard side of the transom or, if there is no transom, to the outermost starboard side at the end of the hull that bears the rudder or other steering mechanism, above the waterline of the boat in such a way that alteration, removal, or replacement would be obvious and evident.

2. MANUFACTURER CERTIFICATION OF COMPLIANCE

a. **APPLICABILITY:** This regulation applies to all boats to which Section 4 of the Federal Boat Safety Act of 1971 applies and to which a safety standard applies as follows:

7.D.2.a.(Continued)

STANDARD	APPLICABLE TO BOATS BUILT AFTER:	BOAT TYPE
Display of Capacity Information Safe Loading Safe Powering	Oct. 31, 1972	Monohulls less than 20 ft. in length, except sailboats, canoes, kayaks, and inflatables.
Basic Flotation	July 31, 1973	Monohulls less than 20 ft. in length, except sailboats, canoes, kayaks, inflatable boats, submersibles, surface effect vehicles, and amphibious vehicles.
Level Flotation	July 31, 1978	Monohulls less than 20 ft. in length, except sailboats, canoes, kayaks, inflatable boats, submersibles, surface effect vehicles, amphibious vehicles, and raceboats.
Fuel and Electrical Systems	August 1, 1977	All boats with gasoline engines for electrical or mechanical power or propulsion, except outboard boats

7.D.2.a.(Continued)

Ventilation	July 31, 1980 Optional July 31, 1978	All boats with gasoline engines for electrical generation, mechanical power or propulsion

Table 7–1

b. **EXAMINATION**: The boat must have a certification label which meets the following requirements:

(1) The label characters must be no less than one-eighth of an inch in height; and must contrast with the basic color of the label, except the date of certification may be permanently stamped, engraved, or embossed on the label.

(2) Each label must contain:

(a) The name and address of the manufacturer or private label merchandiser who certifies the boat or associated equipment.

(3) Each label must contain the words: "This boat complies with U.S. Coast Guard Safety Standards in effect on the Date of Certification," or "This boat complies with U.S. Coast Guard Safety Standards in effect on (date)."

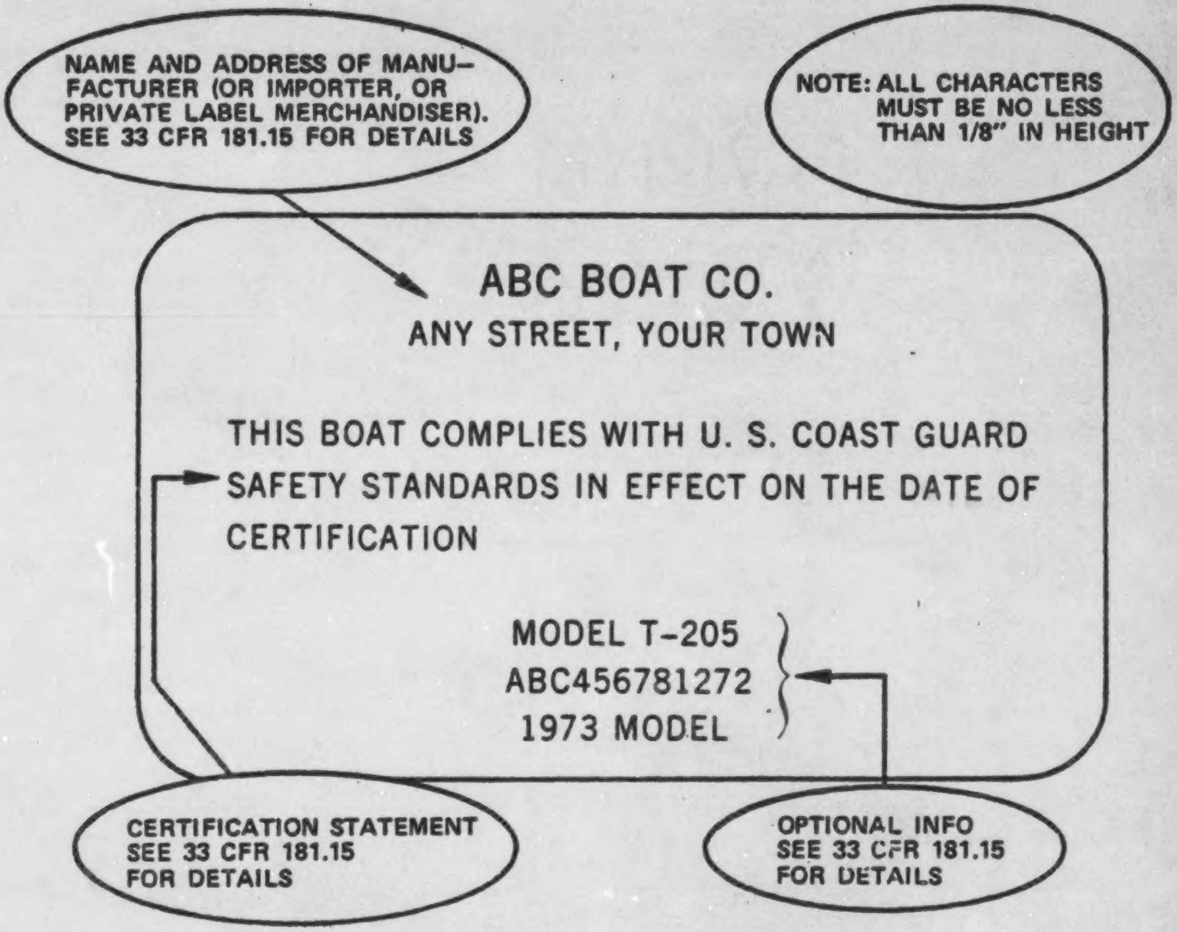
(4) There is no requirement for the location of the certification label. It may be displayed anywhere on the boat.

(5) Only boats that are subject to a standard are required or allowed to display a certification label.

(6) A sample format of the certification plate follows:

7

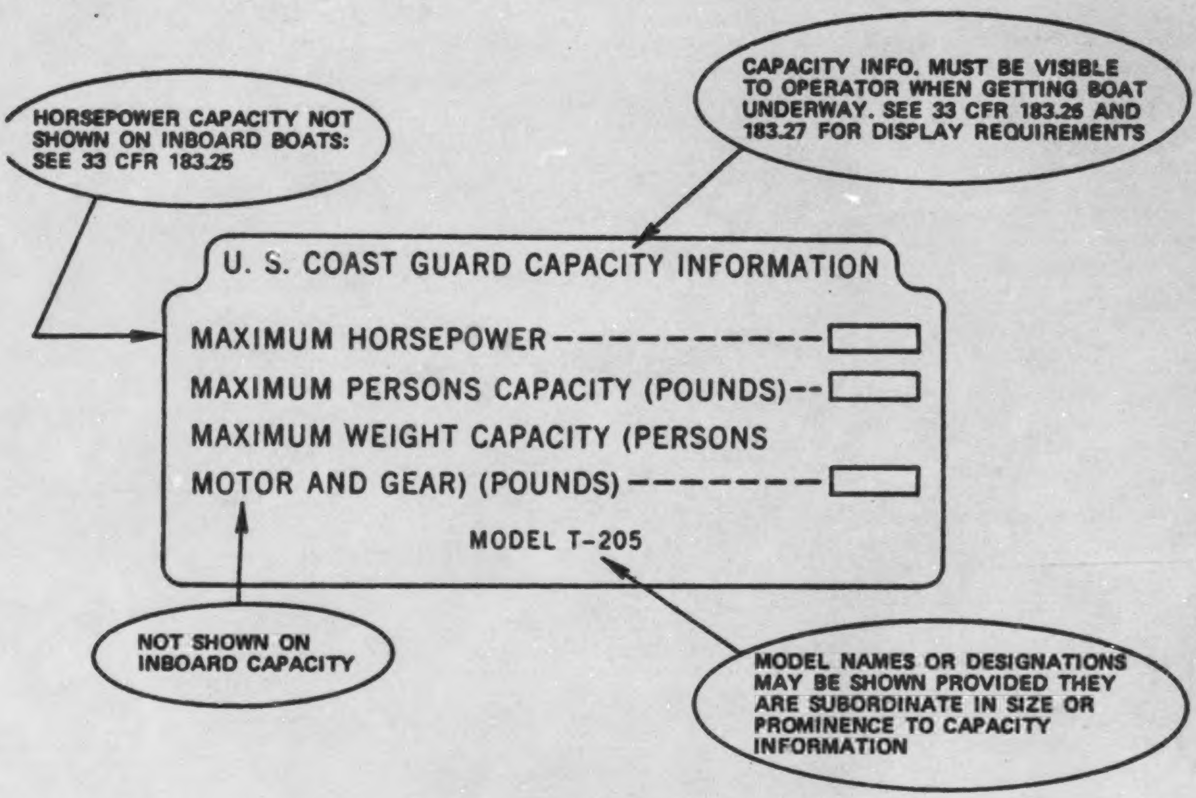
7.D.2.b.(6)(Continued)


NAME AND ADDRESS OF MANU-FACTURER (OR IMPORTER, OR PRIVATE LABEL MERCHANDISER). SEE 33 CFR 181.15 FOR DETAILS
NOTE: ALL CHARACTERS MUST BE NO LESS THAN 1/8" IN HEIGHT
ABC BOAT CO.
ANY STREET, YOUR TOWN
THIS BOAT COMPLIES WITH U. S. COAST GUARD SAFETY STANDARDS IN EFFECT ON THE DATE OF CERTIFICATION
MODEL T-205
ABC456781272
1973 MODEL
CERTIFICATION STATEMENT SEE 33 CFR 181.15 FOR DETAILS
OPTIONAL INFO SEE 33 CFR 181.15 FOR DETAILS

CERTIFICATION LABEL

Figure 7-1

7.D.2.b.(6)(Continued)


HORSEPOWER CAPACITY NOT SHOWN ON INBOARD BOATS: SEE 33 CFR 183.25
CAPACITY INFO. MUST BE VISIBLE TO OPERATOR WHEN GETTING BOAT UNDERWAY. SEE 33 CFR 183.26 AND 183.27 FOR DISPLAY REQUIREMENTS
U. S. COAST GUARD CAPACITY INFORMATION
MAXIMUM HORSEPOWER
MAXIMUM PERSONS CAPACITY (POUNDS)
MAXIMUM WEIGHT CAPACITY (PERSONS MOTOR AND GEAR) (POUNDS)
MODEL T-205
NOT SHOWN ON INBOARD CAPACITY
MODEL NAMES OR DESIGNATIONS MAY BE SHOWN PROVIDED THEY ARE SUBORDINATE IN SIZE OR PROMINENCE TO CAPACITY INFORMATION

U. S. COAST GUARD CAPACITY INFORMATION

Figure 7-2

E. SAFETY STANDARDS

1. DISPLAY OF CAPACITY INFORMATION (33 CFR 183, SUBPART B)

a. **PURPOSE:** The purpose of this regulation is to provide boaters with basic safe boating and powering information for their boats. The actual capacity values to be displayed on the Capacity Label for Maximum Horsepower, Weight, and Persons are determined by the Safe Powering and Loading Standards. The validity of the capacity values shown on the Capacity Label is not addressed under this standard, but is discussed under Safe Loading and Powering, 33 CFR 183, Subparts C and D. "Capacity Label" as used throughout this chapter refers only to the required Coast Guard capacity label.

b. **APPLICABILITY:** This regulation applies to monohull boats less than 20 feet in length, except sailboats, canoes, kayaks, and inflatable boats, the construction of which began after October 31, 1972 but before August 1, 1979.

c. **EXAMINATION:** Examine each boat to which this subpart applies, for a permanently displayed capacity plate which is legible and clearly visible to the operator when getting underway. In addition, the information required to be marked must be displayed in the following manner:

7.E.1.c.(Continued)

For outboard boats:

U.S. COAST GUARD CAPACITY INFORMATION

MAXIMUM HORSEPOWER XXX
MAXIMUM PERSONS CAPACITY (POUNDS).............................. XXX
MAXIMUM WEIGHT CAPACITY (PERSONS, MOTOR, AND
    GEAR) (POUNDS)... XXX

OR

U.S. COAST GUARD CAPACITY INFORMATION

MAXIMUM HORSEPOWER
    WITH REMOTE STEERING... XXX
    WITHOUT REMOTE STEERING XXX
MAXIMUM PERSON CAPACITY (POUNDS)................................ XXX
MAXIMUM WEIGHT CAPACITY (PERSON,
    MOTOR, AND GEAR) (POUNDS) XXX

For inboard boats, inboard-outdrive boats:

U.S. COAST GUARD CAPACITY INFORMATION

MAXIMUM PERSONS CAPACITY (POUNDS).............................. XXX
MAXIMUM WEIGHT CAPACITY (PERSONS AND GEAR)
    (POUNDS).. XXX

For boats rated for motors of two horsepower or less:

U.S. COAST GUARD CAPACITY INFORMATION

MAXIMUM HORSEPOWER XXX
MAXIMUM PERSONS CAPACITY.. XXX
MAXIMUM WEIGHT CAPACITY (PERSONS AND
    GEAR) (POUNDS)... XXX

For boats rated for manual propulsion:

U.S. COAST GUARD CAPACITY INFORMATION

THIS BOAT RATED FOR MANUAL PROPULSION

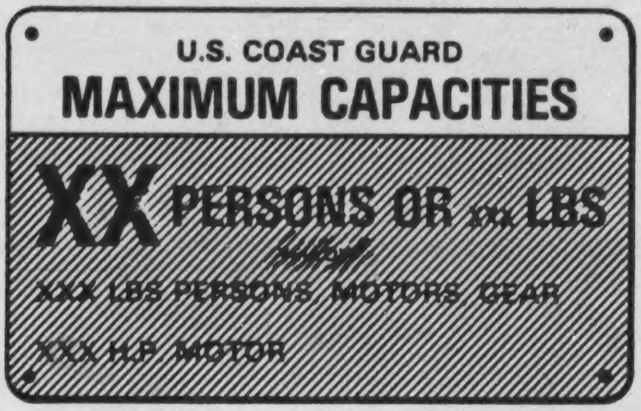
MAXIMUM PERSONS CAPACITY (POUNDS).............................. XXX
MAXIMUM WEIGHT CAPACITY (PERSONS, AND

7.E.1.c.(Continued)

GEAR) (POUNDS)..XXX

Table 7–2

Persons Capacity


U.S. COAST GUARD
MAXIMUM CAPACITIES
XX PERSONS OR XXX LBS
XXX LBS PERSONS, MOTORS, GEAR
XXX H.P. MOTOR

$$\text{The Number of Persons (XX)} = \frac{\text{Persons Capacity (Lbs)} + 32}{141}$$

Round Off to the Nearest Whole Number

Figure 7–3

7.E.1.c.(Continued)

d. **NOTE**

(1) Manufacturers may display manufacturer capacity information on boats not subject to standards, provided that the capacity information is not identified as "U.S. Coast Guard Capacity Information," and there is a proper distinction made for capacity information which is required by regulation and that which is displayed voluntarily by the manufacturer.

(2) Also many times exemptions are granted with a requirement that the boats exempted carry a warning label or modified capacity label.

e. **FOR BOATS BUILT AFTER 31 JULY 1979**

(1) **APPLICABILITY**: This regulation applies to monohull boats less than 20 feet in length, except sailboats, canoes, kayaks, and inflatable boats, the construction of which began on or after 1 August 1979.

(2) **EXAMINATION**: Examine each boat to which this subpart applies for a permanently displayed capacity plate which is legible and clearly visible to the operator and passengers when getting underway. In addition, the following information required by the standard must be displayed:

7.E.1.e.(2)(Continued)

For outboard boats:

U.S. COAST GUARD MAXIMUM CAPACITIES

PERSONS OR POUNDS	XXX
POUNDS, PERSONS, MOTOR, GEAR	XXX
HORSEPOWER, MOTOR	XXX

OR

U.S. COAST GUARD MAXIMUM CAPACITIES

PERSONS OR POUNDS	XXX
POUNDS, PERSONS, MOTOR, GEAR	XXX
HORSEPOWER, MOTOR WITH REMOTE STEERING	XXX
HORSEPOWER, MOTOR WITHOUT REMOTE STEERING	XXX

For inboard boats and inboard-outdrive boats:

U.S. COAST GUARD MAXIMUM CAPACITIES

PERSONS OR POUNDS	XXX
POUNDS, PERSONS, GEAR	XXX

For boats rated for motors of 2 horsepower or less:

U.S. COAST GUARD MAXIMUM CAPACITIES

PERSONS OR POUNDS	XXX
POUNDS, PERSON, MOTOR, GEAR	XXX
HORSEPOWER, MOTOR	XXX

For boats rated for manual propulsion:

U.S. COAST GUARD MAXIMUM CAPACITIES

PERSONS OR POUNDS	XXX
POUNDS, PERSONS, GEAR	XX

Table 7-3

7.E.1.e.(2)(Continued)

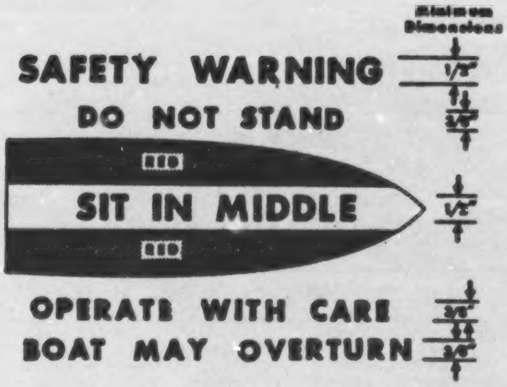

Minimum Dimensions
SAFETY WARNING
1/2"
DO NOT STAND
3/8"
SIT IN MIDDLE
1/2"
OPERATE WITH CARE
3/8"
BOAT MAY OVERTURN
3/8"

Figure 7–4

f. **COMBINED CERTIFICATION CAPACITY LABELS**

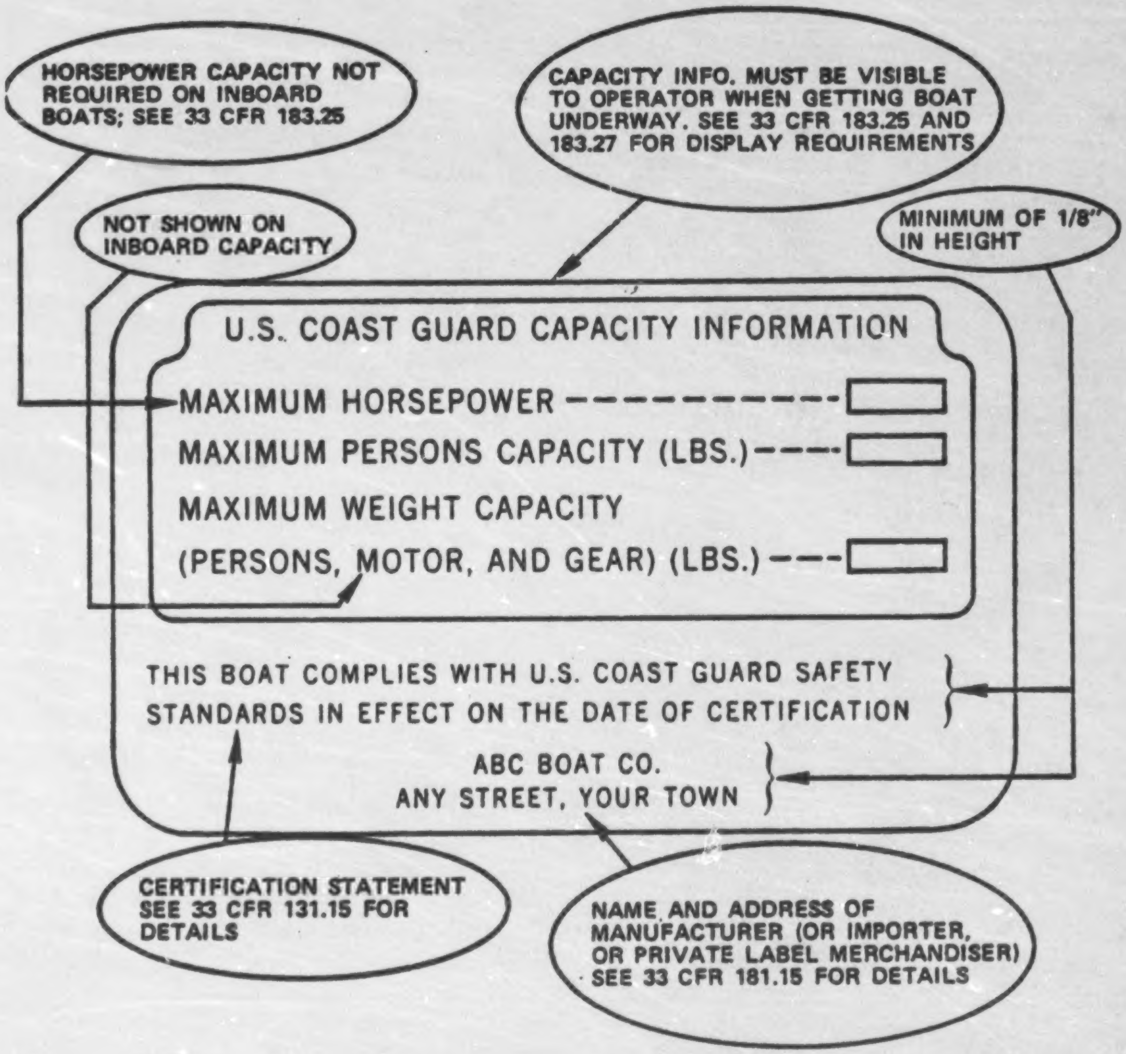
(1) Manufacturers may, at their option, combine the certification label requirements and capacity label requirement into a combined display on a single backing. These combined displays shall meet the following guidelines, (see Figure 7–5):

(a) The capacity information **must clearly be the most prominent and obvious** information on the plate by virtue of larger lettering, or bolder type, or contrasting color, etc.

(b) The capacity information **must be separated** by a prominent line or border from all other information on the label.

(c) The entire combined label must be mounted where it is clearly visible to the operator when he is getting the boat underway.

7.E.1.e.(2)(Continued)


HORSEPOWER CAPACITY NOT REQUIRED ON INBOARD BOATS; SEE 33 CFR 183.25
CAPACITY INFO. MUST BE VISIBLE TO OPERATOR WHEN GETTING BOAT UNDERWAY. SEE 33 CFR 183.25 AND 183.27 FOR DISPLAY REQUIREMENTS
NOT SHOWN ON INBOARD CAPACITY
MINIMUM OF 1/8" IN HEIGHT
U.S. COAST GUARD CAPACITY INFORMATION
MAXIMUM HORSEPOWER
MAXIMUM PERSONS CAPACITY (LBS.)
MAXIMUM WEIGHT CAPACITY
(PERSONS, MOTOR, AND GEAR) (LBS.)
THIS BOAT COMPLIES WITH U.S. COAST GUARD SAFETY STANDARDS IN EFFECT ON THE DATE OF CERTIFICATION
ABC BOAT CO.
ANY STREET, YOUR TOWN
CERTIFICATION STATEMENT SEE 33 CFR 131.15 FOR DETAILS
NAME AND ADDRESS OF MANUFACTURER (OR IMPORTER, OR PRIVATE LABEL MERCHANDISER) SEE 33 CFR 181.15 FOR DETAILS

COMBINED CAPACITY AND CERTIFICATION LABEL

Figure 7–5

160

2. **SAFE LOADING** (33 CFR 183, SUBPART C)

   a. **PURPOSE**: To determine appropriate values of maximum weight capacity and maximum persons capacity for display on the capacity information label.

   b. **APPLICABILITY**: This regulation applies to monohull boats less than 20 feet in length, except sailboats, canoes, kayaks, and inflatable boats, the construction of which began after October 31, 1972.

   c. **EXAMINATION**: Insure that Maximum Weight Capacity and Maximum Persons Capacity are displayed on Capacity Label.

3. **SAFE POWERING** (33 CFR 183, SUBPART D)

   a. **PURPOSE**: To calculate an appropriate horsepower value for display on the capacity information label.

   b. **APPLICABILITY**: This regulation applies to monohull boats less 20 feet in length, except sailboats, canoes, kayaks, and inflatable boats, that are designed or intended to use one or more outboard motors for propulsion and the construction of which began after October 31, 1972.

   c. **EXAMINATION**: Insure that Maximum Horsepower is displayed on Capacity Labels of outboard boats.

4. **FLOTATION** (33 CFR 183, SUBPARTS E, F, G, AND H)

   a. **PURPOSE**: The purpose of this regulation is to insure enough flotation in a boat to float it and its machinery in a swamped condition. In addition, enough buoyancy must be provided for some percentage of the stated maximum persons capacity and dead weight (gear). The validity of the values stated on the capacity information label is not directly related to the flotation standard, but the used in determining the amount of weight the swamped boat will have to support.

   b. **APPLICABILITY**: These subparts apply to monohull boats the construction or assembly of which is begun after July 31, 1973, and which are less than 20 feet in length, except sailboats, canoes, kayaks, and inflatable boats.

c. **EXAMINATION**: None.

5. **FUEL AND ELECTRICAL (33 CFR 183 SUBPART I & J)**

a. **PURPOSE**: The purpose of these requirements is to prevent fires and explosions aboard gasoline powered pleasure boats by eliminating the electrical or fuel systems as sources of fires.

b. **APPLICABILITY**: All boats that have gasoline engines for electrical or mechanical power or propulsion, except outboard engines, and the construction or assembly of which began after August 1, 1977.

c. **EXAMINATION**: None.

6. **VENTILATION (33 CFR 183 SUBPART K)**

a. **PURPOSE**: The purpose of this requirement is to prevent fires and explosions aboard gasoline powered pleasure boats by ventilating compartments which may contain fuel vapors.

b. **APPLICABILITY**: All boats that have gasoline engines for electrical or mechanical power as propulsion, and the construction or assembly began after July 31, 1980. This is a manufacturer requirement but the boat operator is required to keep the system in working order.

c. **EXAMINATION**: Same as operator requirements in Chapter 6.

CHAPTER 8: RULES OF THE ROAD

A. Introduction

1. This chapter summarizes two general portions of the Rules of the Road that are especially pertinent to boating safety: Navigation Lights and Steering and Sailing rules. The text consists of figures and charts accompanied by short explanations. The questions that have been included at the end of the chapter highlight the most important facts.

B. Definition of Terms – Inland Rules

1. In this section there are a few terms used which you should understand. These terms, along with their definitions, are as follows:

   a. **Steam Vessel** – The words "steam vessel" shall include any vessel propelled by machinery.

   b. **Under Way** – A vessel is "under way" within the meaning of the Inland Rules, when she is not at anchor, or made fast to the shore, or aground.

   c. **Visible** – The word "visible" in these rules, when applied to lights, shall mean visible on a dark night with a clear atmosphere.

   d. **Forepart of vessel** – Means that part of the vessel forward of the amidships beam.

   e. **Abaft the beam** – Means that part of the vessel aft of the amidships beam.

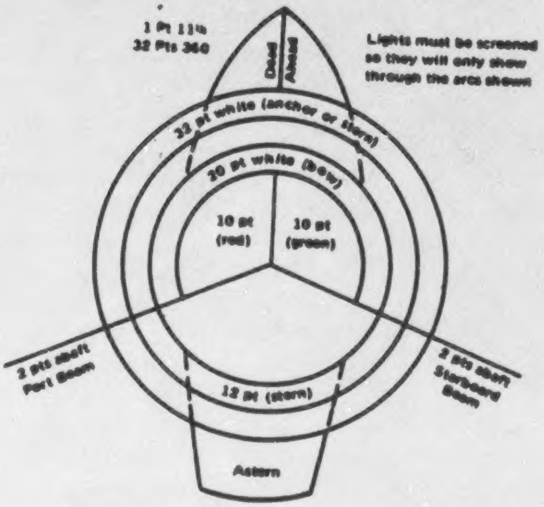
   f. **Point of the Compass** – Means an arc of 11–1/4 degrees of the compass. Thirty-two points equal 360 degrees.

   g. **Motorboat** – Means any vessel 65 feet in length or less, which is propelled by machinery, including steam, except tugs and towboats.

   h. **Boat** – Means any vessel manufactured or used primarily for non-commercial use; or leased, rented or chartered to another for the latter's non-commercial use; or engaged in the carrying of six or fewer passengers.

8.B.(Continued)

DEFINITION: "10 pts.,1 mi." means that the light can be seen through an arc of 10 points for a distance of 1 mile by another vessel.


1 Pt 11¼
32 Pts 360
Dead
Ahead
Lights must be screened so they will only show through the arcs shown
32 pt white (anchor or stern)
20 pt white (bow)
10 pt (red)
10 pt (green)
2 pts abaft Port Beam
12 pt (stern)
2 pts abaft Starboard Beam
Astern

Arcs necessary for lights on various vessels.

Figure 8–1

C. Lighting Requirements – Inland

1. The Motorboat Act of 1940 prescribes lighting requirements for motorboats underway using waters governed by the **Inland, Great Lakes and Western Rivers Rules of the Road.**

2. A **combination light** is a fixture which, when lighted, appears at a reasonable distance to be a single light. You should consider a separation of up to six inches acceptable if the lights appear combined at a distance of 300 feet or more when viewed from ahead.

8.C.2.(Continued)

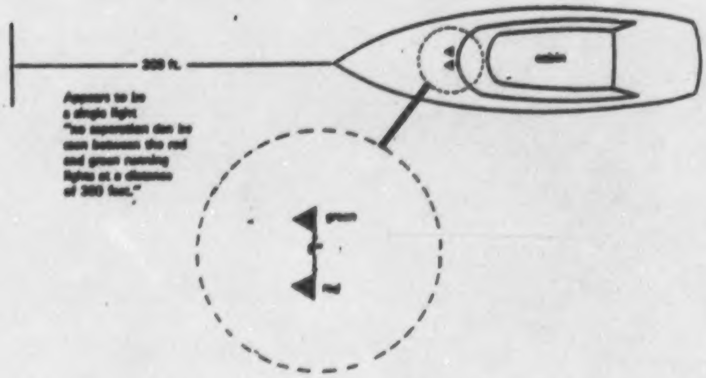

300 ft.
cabin
Appears to be
a single light
"no separation can be
seen between the red
and green running
lights at a distance
of 300 feet."
green
red

Figure 8–2

3. Lights must be exhibited from sunset to sunrise. No violation exists between sunrise and sunset if a vessel has no lights or does not exhibit them.

D. Lights Required – Inland

1. Lights should not be obscured by sails, awnings, boat wakes, or persons on board the vessel.

8.D.1.(Continued)

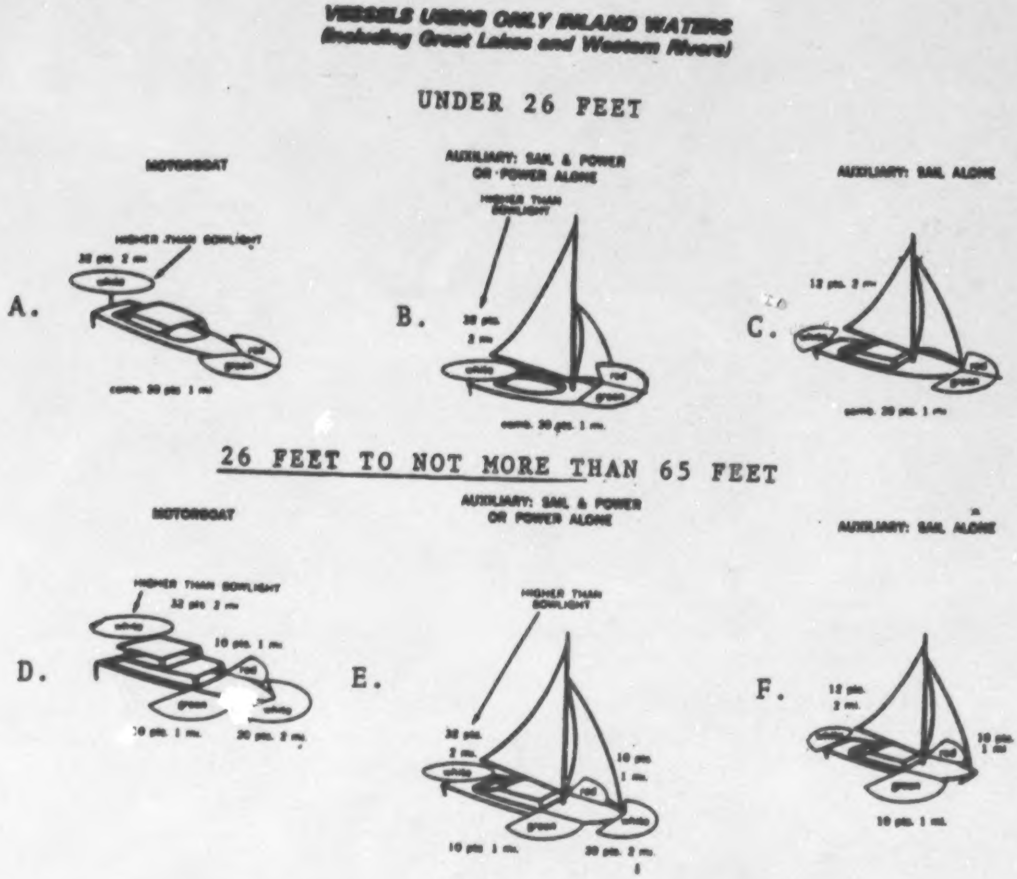

VESSELS USING ONLY INLAND WATERS
(Including Great Lakes and Western Rivers)
UNDER 26 FEET
MOTORBOAT
AUXILIARY: SAIL & POWER OR POWER ALONE
AUXILIARY: SAIL ALONE
A.
HIGHER THAN BOWLIGHT
32 pts. 2 mi.
white
red
green
comb. 20 pts. 1 mi.
B.
HIGHER THAN BOWLIGHT
32 pts. 2 mi.
white
red
green
comb. 20 pts. 1 mi.
C.
12 pts. 2 mi.
red
green
comb. 20 pts. 1 mi.
26 FEET TO NOT MORE THAN 65 FEET
MOTORBOAT
AUXILIARY: SAIL & POWER OR POWER ALONE
AUXILIARY: SAIL ALONE
D.
HIGHER THAN BOWLIGHT
32 pts. 2 mi.
white
10 pts. 1 mi.
red
green
white
10 pts. 1 mi.
20 pts. 2 mi.
E.
HIGHER THAN BOWLIGHT
32 pts.
2 mi.
white
10 pts.
1 mi.
red
green
white
10 pts. 1 mi.
20 pts. 2 mi.
F.
12 pts.
2 mi.
10 pts.
1 mi.
red
green
10 pts. 1 mi.

Figure 8–3

NOTE:1. In the above lights – Bow Light – means sidelights.

2. International lights can be used Inland but Inland cannot be used in International.

EXCEPTIONS: (1) Western River Rules. Sidelights for vessels under sail must be visible for 3 miles. (2) Great Lakes. On the Great Lakes sailing vessels show a white light (in lieu of a stern light) upon that portion of the vessel which is being approached by another vessel.

Combination lanterns or side lights shall be visible for at least one mile and shall show from right ahead to two points abaft the beam. All white lights shall be visible for two miles. (In figure 8–3 see parts A, B and C.)

3. Every motorboat under 26 feet long must carry two lights. First, it shall carry a bright white light aft to show all around the horizon (32 points of the compass). In addition, every motorboat shall carry a combination light in the forepart of the vessel and lower than the white light aft. The combination light, which shows green to starboard and red to port, is fixed to throw the light from dead ahead to two points abaft the beam on respective sides. (In figure 8–3 see parts A, B, and C.)

4. Every motorboat 26 feet long to not more than 65 feet long shall carry a bright white light in the fore part of the vessel as near the stem or practicable. Constructed to show an unbroken light over a 20 point arc of the horizon, this white light shall be fixed to show right ahead to two points abaft the beam on either side. In addition, every motorboat of this size shall have a second white light aft, fixed higher than the white light forward and showing all around the horizon. Finally, boats of this size require separate lights showing from right ahead to two points abaft the beam on either side. These side lights are fitted with inboard screens that are high enough to keep the lights from being seen across the bow. (In figure 8–3, see parts D, E and F.)

5. Motorboats under 26 feet, when propelled by sail alone, shall carry a combination light forward and one 12 point stern light that is visible from at least 2 miles away. The white 12 point stern light is optional. If she does not carry the 12 point stern light she must in lieu thereof, carry ready at hand a flashlight or lantern to be exhibited in sufficient time to prevent collision.

6. Motorboats 26 feet to not more than 65 feet under sail only, shall carry separate side lights visible for one mile (properly screened). These boats shall also carry one white, 12 point stern light aft, visible for two miles. (The white 12 point stern light is optional. If she does not carry the 12 point stern light she must in lieu thereof, carry ready at hand a flashlight or lantern to be exhibited in sufficient time to prevent collision.

7. When a boat is under sail and power both, she shall carry the same lights as those required for power alone.

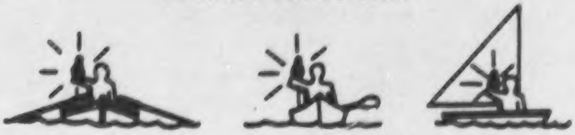
8. An interpretive ruling concerning white lights on motorboats reads as follows: "Every white light required by the Act of 25 April 1940, as amended, shall be carried in the centerline of the motorboat, except that

8.D.8.(Continued)

the all around white light aft on a motorboat under 26' may be carried off the centerline."

E. Lights required on Rowing Vessels

LIGHTS FOR ROWING BOATS



ROWING BOATS: Rowing boats whether under oars or sail shall have ready at hand a lantern showing a white light which shall be temporarily exhibited in sufficient time to prevent collision.

Figure 8-4

F. Lights required on Motorboats at Anchor

1. Vessels under 150 feet in length are required to show one all around white light forward (32 point light).

2. In special anchorage areas designated by the Coast Guard, anchor lights are not required if the vessel is 65 feet in length or less.

3. Motorboats under 26 feet are exempt from carrying the anchor light forward as long as a 32 point white light is displayed on the vessel.

G. Definition of Terms – International Waters

1. **Vessel** – The word "vessel" includes every description of watercraft, including non-displacement craft and seaplanes, used or capable of being used as a means of transportation on water.

2. **Power-driven Vessel** – The term "power-driven vessel" means any vessel propelled by machinery.

3. **Sailing Vessel** – The term "sailing vessel" means any vessel under sail provided that propelling machinery, if fitted, is not being used.

4. **Vessel engaged in fishing** – The term "vessel engaged in fishing" means any vessel fishing with nets, lines, trawls or other fishing apparatus which restrict maneuverability, but does not include a vessel fishing with trolling lines or other fishing apparatus which do not restrict maneuverability.

5. **Seaplane** – The word "seaplane" includes any aircraft designed to maneuver on the water.

6. **Underway** – The word "underway" means that a vessel is not at anchor, or made fast to the shore, or aground.

7. **Length and Breadth** – The words "length" and "breadth" of a vessel mean her length overall and greatest breadth.

8. **Restricted Visibility** – The term "restricted visibility" means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sand storms or any other similar causes.

H. Lighting Requirements – International

1. The International Regulations for Preventing Collisions at Sea 1972 prescribes lighting requirements for vessels using waters governed by International Rules of the Road.

2. Rules in this part shall be complied with in all weather.

3. The rules concerning lights shall be complied with from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the lights specified in these rules or do not impair their visibility or distinctive character, or interfere with the keeping of a proper look-out.

4. The lights prescribed by these rules shall, if carried, also be exhibited from sunrise to sunset in restricted visibility and may be exhibited in all other circumstances when it is deemed necessary.

5. The rules concerning shapes shall be complied with by day.

8.

I. Lights Required – International

1. Power-driven vessels of 12 meters (39.4 feet) or more in length but less than 20 meters (65.7 feet) in length.

   a. Masthead light visibility 3 miles. (Masthead light means a white light placed over the fore and aft centreline of the vessel showing an unbroken light over an arc of the horizon of 225 degrees (20 points) and so fixed as to show the light from right ahead to 22.5 degrees (2 points) abaft the beam on either side of the vessel.)

   b. Sidelights, visibility 2 miles. (Sidelights means a green light on the starboard (right) side and red light on the port (left) side each showing an unbroken light over an arc of the horizon of 112.5 degrees (10 points) and so fixed as to show the light from right ahead to 22.5 degrees (2 points) abaft the beam on its respective side. In a vessel of less than 20 meters (65.7 feet) in length the sidelights may be combined in one lantern carried on the fore and aft centreline of the vessel.)

   c. Sternlight, visibility 2 miles. (Sternlight means a white light placed as nearly as practicable at the stern showing an unbroken light over an arc of the horizon of 135 degrees (12 points) and so fixed as to show the light 67.5 degrees (6 points) from right aft on each side of the vessel.)

NOTE: The masthead light of a power-driven vessel of 12 meters (39.4 feet) but less than 20 meters (65.7 feet) in length shall be placed at a height above the gunwale of not less than 2.5 meters (8.2 feet).

2. Power-driven vessel of less than 12 meters (39.4 feet) in length.

   a. Masthead light, visibility 2 miles.

NOTE: A power-driven vessel of less than 12 meters (39.4 feet) in length may carry the uppermost light at a height of less than 2.5 meters (8.2 feet) above the gunwale. In addition to sidelights and a sternlight the masthead light shall be carried at least 1 meter (3.3 feet) higher than the sidelights. 1 meter (3.3 feet) higher than the sidelights.

   b. Sidelights, visibility 1 mile.

8.I.2.

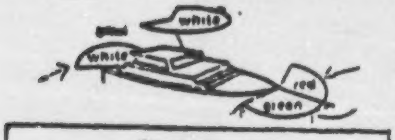
c. Sternlight, visibility 2 miles.

NOTE: A power-driven vessel of less than 7 meters (23 feet) in length and whose maximum speed does not exceed 7 knots may, in lieu of the lights prescribed for other power-driven vessels, exhibit an all-round white light. Such vessel shall, if practicable, also exhibit sidelights. Lights required on power-driven vessels between sunset and sunrise.

Vessels of less than 20 meters (65.7 feet) but more than 12 meters (39.4 feet) using international waters **(may be used on inland waters).**

8.I.2.c.(Continued)

Masthead
Carried not less than
2.5 metres (8.2 feet) above
the gunwale - 225 degrees (20 PTS) 3 mi.

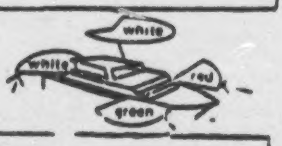


Sidelights
112.5 degrees (10 pt.) 2 mi.
From right ahead to 22.5
degrees (2 pts) abaft the
beam (both Red and Green)
Bow light can be either separate
or combined.

Stern
135 degrees (12 pt)
from right aft 67.5
degrees (6 pt) on each
side of vessel. Visible
2 miles.

Vessels of less than 12 metres (39.4 feet).

Masthead
Maybe carried less than
2.5 metres (8.2 feet) above
gunwale but shall be carried
at least 1 metre (3.3 feet)
2 miles.



Sidelights

112.5 degrees (10 pt)
from right ahead to
22.5 degrees (2 pt)
abaft the beam (both
Red & Green) Bow light
can be either separate or
combined. 1 mile

Stern
135 degrees (12 pt) from
right aft 67.5 degrees
(6 pt) on each side of
vessel. 2 miles

Figure 8–5

UNDER SAIL ONLY

3. A sailing vessel underway shall exhibit:

   a. Sidelights; vessel less than 12 meters (39.4 feet) visibility 1 mile. Vessel more than 12 meters (39.4 feet) but less than 20 meters (65.7 feet) visibility 2 miles.

   b. Sternlight; visibility 2 miles.

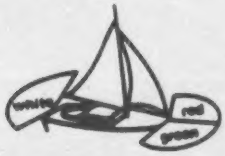
   c. In a sailing vessel of less than 12 meters (39.4 feet) in length, the lights prescribed above may be combined in one lantern carried at or near the top of the mast where it can best be seen.

   d. A sailing vessel underway may, in addition to the lights prescribed above, exhibit at or near the top of the mast, where they can best be seen, two all-round lights in a vertical line, the upper being red and the lower green, but these lights shall not be exhibited in conjunction with the combined lantern permitted above.

   Lights required on sailing vessel underway between sunset and sunrise using international waters. Sailing vessel less than 20 meters (65.7 feet).

8.I.3.d.(Continued)

A.



Sidelights

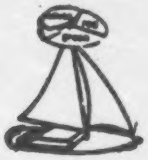
112.5 degrees (10 pt) from right ahead to 22.5 degrees (2 pt) abaft the beam (both red and green) bow light can be either separate or combined.
1 mile

Stern

135 degrees (12 pt) from right aft 67.5 degrees (6 pt) on each side of vessel.
2 miles

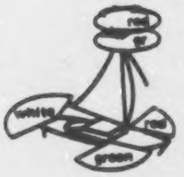
OR

B.



The above lights may be combined in one lantern carried at or near the top of the mast where it can best be seen. For S/V less than 12 metres (39.4 feet)

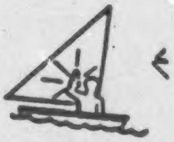
C.



Optional

In addition to the lights in A above, they may exhibit at or near the top of the mast, two all-round, 360 degrees (32 pt) in a vertical line, the upper red, lower green, but these lights shall not be exhibited in conjunction with B above.

D. A sailing vessel of less than 7 metres (23 feet) in length shall, if practicable, exhibit the lights in A and B above, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.



Sailing vessel less than 7 metres (23 feet)

NOTE: Stern light of Class A and 1 motorboat may carry this light off the centreline.

Figure 8-6

4. Anchored vessels (International)

   a. A vessel at anchor shall exhibit where it can best be seen:

      (1) in the fore part, an all-round white light or ball;

      (2) at or near the stern and at a lower level than the light prescribed in sub-paragraph (a), an all-round white light.

   b. A vessel of less than 20 meters (65.7 feet) in length may exhibit an all-round white light where it can best be seen instead of the lights prescribed in paragraph 1 above.

   c. A vessel of less than 7 meters (23 feet) in length, when at anchor, **not in or near** a narrow channel, fairway or anchorage, or where other vessels normally navigate, shall not be required to exhibit the lights or shapes prescribed above.

   d. Light should be visible for 2 miles.

5. An important point for Coast Guard boarding officers to remember is that a violation may not be written for any discrepancy found in the navigation lights on a motorboat, **except between sunset and sunrise.** These are the basic rules for lights. You as a boarding officer should read the applicable Rules of the Road for the area in which you will be examining motorboats.

NOTE: Motorboats may display only one set of lights and not combine the various rules. This means a motorboat cannot display lights according to half International Rules and half Motorboat Act of 1940 rules.

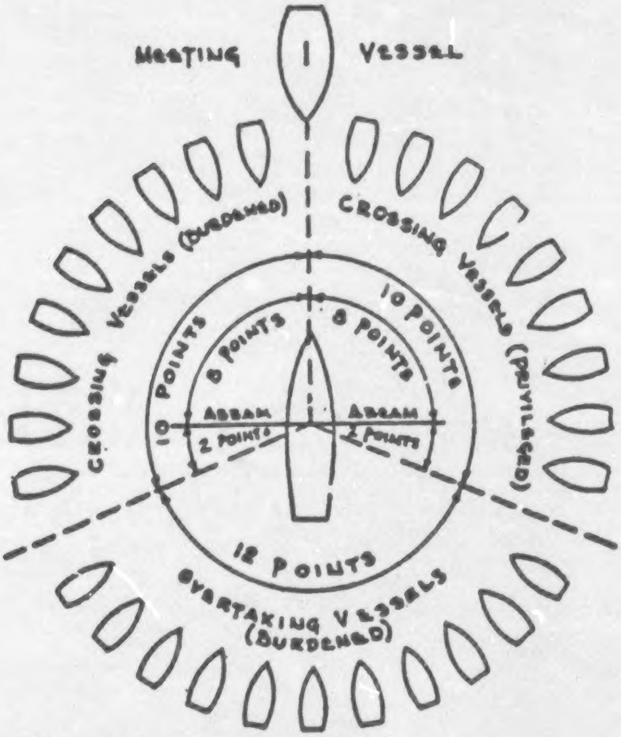
QUESTION:	Under International Rules, could a 50 foot motorboat display a combination light?
ANSWER:	Yes. Under International Rules any size of motorboat may display either the combination light or separate side lights.

J. Steering and Sailing Rules: Give-way and Stand-on Vessels

1. **Stand-on**: When a vessel is the stand-on vessel, it shall maintain course and speed unless it is faced with possible collision; then it must act to avoid collision.

2. **Give-way**: A give-way vessel must take positive early action to stay clear of a stand-on vessel. It must also avoid (if possible) crossing ahead of stand-on vessel.

```
'Int'l - Stand-on-vessel  - P
         Give-way vessel  - B
```


MEETING
1
VESSEL
CROSSING VESSELS (BURDENED)
CROSSING VESSELS (PRIVILEGED)
10 POINTS
8 POINTS
8 POINTS
10 POINTS
ABEAM
ABEAM
2 POINTS
2 POINTS
12 POINTS
OVERTAKING VESSELS
(BURDENED)

Privileged/Burdened Situations

NOTE: International priviledged means - STAND-ON-VESSEL.
Burdened means - GIVE-WAY-VESSELS.

Stand-on/Give-way situations
Figure 8–7

K. Steering and Sailing Rules: Sound Signals

1. The following charts consist of signals given by ships, when in sight of each other, by whistle. The following symbols are used for signals:

   a. – a short whistle blast (about one second duration)

   b. — a long whistle blast (eight to twelve seconds duration)

INLAND RULES

Signal	Meaning
-	Meeting vessel I intend to pass you port to port, or I assent to a port-to-port passage
- -	Intend to pass you starboard to starboard, or, I assent to a starboard-to-starboard passage
	Overtaking vessel
-	I desire to pass on your starboard hand
- -	I desire to pass on your port hand
	Overtaken vessel
-	I assent to your passing on my starboard hand
- -	I assent to your passing on my port hand
---- (or more)	I do not assent to your passing as proposed
-	Stand-on vessel in a crossing situation I intend to hold course and speed
-	Give-way vessel in a crossing situation I intend to keep out of your way

8.K.1.b.(Continued)

---	All cases, My engines are going full speed astern
----	Danger exists or I do not understand your actions or intentions or I object or cannot comply
-	*I am directing my course to starboard
- -	*I am directing my course to port
---	*My engines are going astern
----	Danger, keep clear. (or more) I am within 1/2 mile of the blind bend., or leaving a dock or berth. (Given, in answer, by approaching vessels)

2. The main points to remember for International Rules are that the maneuvering signals are sent when **the action is taking place** and that these signals are only given when the **vessels are in sight of each other**.

3. In Inland Rules, the signals are sounded for **intention of a change of course** and should be answered with the same signal. Cross signals are prohibited. In International Rules, the signal is given when a course change is made: **no recognition signal is given.**

4. Inland Rules have **two cases** when steam vessels may give sound signals, on the whistle, when not in sight of each other: (1) a long blast of eight to 12 seconds duration means I am leaving a slip; or I am approaching from within 1/2 mile of the obscured bend in the channel; or I am around the bend and hear you; (2) the danger signal, four or more short blasts, can be given in **Inland Rules** when danger exists even if vessels are not in sight of each other.

L. Steering and Sailing Rules: Examples of Situations

1. First Situation

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8.L.1.(Continued)

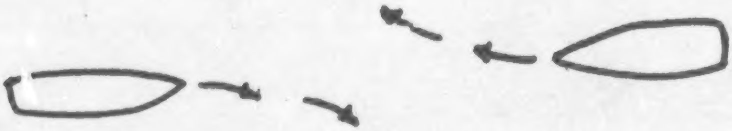

Figure 8–8

a. At night, both vessels would see both colored lights, indicating their direct approach "head and head" toward each other. In this situation it is a standing rule that both shall direct their courses to starboard and pass on the port side of each other. In Inland Rules, one vessel would sound a single short blast, the other vessel would sound a single short blast and then they would alter their course. In International Rules the vessels would sound one short blast when they alter their course to starboard.

2. **Second Situation**

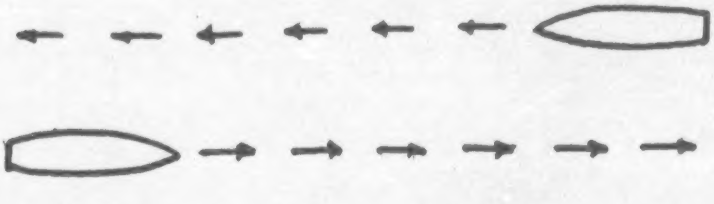

Figure 8–9

a. In this situation the red light only is visible to each, the screens preventing the green lights from being seen. Both vessels are evidently passing to port of each other, which is

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rulable in this situation. In Inland Rules each vessel would give one short blast signifying his intention to pass port to port. In International Rules both vessels could maintain course and no signal would be sounding.

3. **Third Situation**

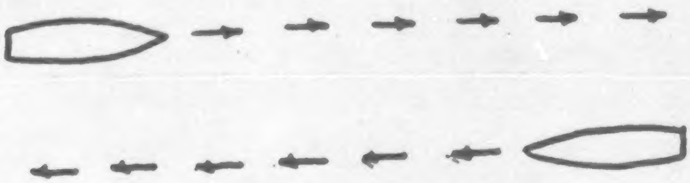

Figure 8–10

a. In this situation, the green light only will be visible to each, the screens preventing the red light from being seen. They are therefore passing starboard to starboard which is rulable in this situation. In Inland Rules each would sound two short blasts. In International Rules, if the vessels are well clear of each other, they will maintain course and speed; no signals will be sent.

4. **Fourth Situation**

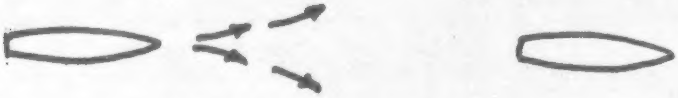

Figure 8–11

a. In this situation one power-driven vessel is overtaking another power-driven vessel from some point within the angle of two points abaft the beam of the overtaken power-driven vessel. The overtaking vessel may pass on the starboard or port side of the vessel ahead. In Inland Rules, the overtaking vessel would signal which way he intends to pass, wait for an answer, and then pass on that side.

5. Fifth Situation

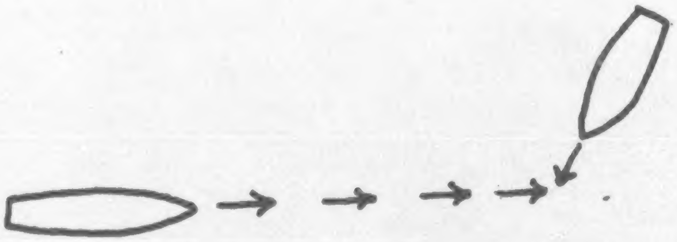

Figure 8–12

a. In this situation, the two vessels are approaching each other at right angles or at oblique angles in such manner as to involve risk of collision, other than where one vessel is overtaking another. The vessel which has the other on her **own port side shall hold course** and **speed**, and the **other shall keep clear** by crossing astern of the vessel that is holding course and speed, or, if necessary to do so, shall slacken her speed, stop, or reverse. In Inland Rules the give-way vessel will signal any intended change of course and the stand-on vessel will signal one short blast (i.e., holding course and speed) or the danger. In International Rules the give-way vessel will signal any change of course.

NOTE: The above situations apply to power-driven vessels. A sailing vessel, on the other hand, has the right-of-way except in two situations. First, a sailing vessel has the right of way unless it is a narrow channel with another vessel that can safely navigate only within that channel. Second, a sailing vessel has the right of way unless it is overtaking another vessel.

M. Chapter Quiz

1. How many degrees are in a "point of the compass"? How many points equal 360 degrees?

2. What navigation lights would a 17-foot motorboat be required to show at night, while under way, in inland waters? COLREG waters?

3. What navigation lights would a 36-foot motorboat be required to show at night, while underway, in inland waters? COLREG waters?

8.M.

4. What navigation lights would a 60-foot motorboat be required to show at night, while under way, in inland waters? COLREG waters?

5. What navigation lights would a 17-foot sail boat (moving under sail only) show at night in inland waters? COLREG waters?

6. For the following examples, determine which vessel is the give-way vessel. (Consider yourself and the other vessel to be a power-driven vessel unless otherwise stated.)

   a. The other vessel is off your port bow.

   b. The other vessel is off your starboard bow.

   [redacted]

   c. The other vessel is overtaking you.

7. What is the main difference between Inland and International steering signals?

CHAPTER 9: NEGLIGENT AND GROSSLY NEGLIGENT OPERATION

A. INTRODUCTION

1. In Chapters 6, 7, and 8 we discussed the equipment required by law for boats. In this chapter we will discuss the type of boat operation which constitutes the biggest hazard to safety afloat--negligent operation. (The term **reckless or negligent operation** has been changed to **negligent** or **grossly negligent** under the Federal Boat Safety Act of 1971.)

2. If the sport of boating is to remain safe, the unsafe boat operators must be found and educated on safe boat operation. This education can be administered in the form of instructions from boarding officers, civil penalties assessed by the Coast Guard, or the harshest education of all--arrest. Regardless of the method used to educate the public, negligent operation of a boat must be stopped whenever detected by a boarding officer. Negligent operation will normally be handled by means of civil penalty or criminal prosecution.

B. DEFINITION OF NEGLIGENT OPERATION

1. **Negligent operation** is the failure to exercise that degree of care necessary under the circumstances to prevent the endangering of life, limb or property of any person. Negligent operations may be caused by the operator's ignorance, inattention, indifference, or general carelessness.

C. DEFINITION OF GROSSLY NEGLIGENT OPERATION

1. **Grossly negligent** implies extreme forms of negligence. Gross negligence is an absence of **all** care. The term means that the operator of a boat **knows** that a certain act can create an unreasonable risk of harm, even though he does not necessarily intend to cause harm.

D. EXAMPLES OF NEGLIGENT OPERATION

1. FAILURE TO REDUCE SPEED IN AREAS WHERE BOATING IS CONCENTRATED

a. Excessive speed can create a dangerous wake causing other boats in the vicinity to ship water, lose equipment, or in other ways receive damage. This wake can also threaten the safety of persons in nearby boats. This kind of operation can endanger life, limb, and/or property.

2. OPERATING AT EXCESSIVE SPEED UNDER STORM CONDITIONS OR IN FOG

a. Hazardous conditions are also present when maneuvering room is restricted by narrow channels or when vision is obstructed by such things as jetties, land, or other boats.

3. OPERATING WHILE UNDER THE INFLUENCE OF INTOXICANTS OR DRUGS

a. This is not in itself a violation of the law unless the operation of the boat is erratic. In other words, if you are examining a boat and the operator is drinking beer, but the vessel as you observed it was operating in a normal manner, no violation exists. However, if you had observed the boat operating in a way that could endanger life, limb, or property you would cite the operator for negligent operation. Supporting evidence would be the fact that you had observed the operator consuming intoxicants. If a case such as this goes to court, the boarding officer has to prove the operation of the boat was **negligent**, not that the operator was intoxicated. The fact that the operator was drinking, or taking drugs, will help support the fact that boat was being operated erratically. If, in your opinion, the boat's erratic movement was caused by the operator's use of intoxicants or drugs, you should not permit the operator to continue using the boat. In this situation, you have several alternatives. It might be appropriate to tow the vessel to the nearest mooring, or to have a capable passenger on the boat take over operation (with the permission from the person who is in charge of the boat). Or, if the operator will not or is incapable of granting such permission, you may place an operator aboard from your boating safety crew. In some instances, you may want to request the assistance of local law enforcement officers and handle the case under state law. These are only suggestions; your choice of action will depend on the circumstances. Regardless of what action you take or is taken by other authorities, if you observe a vessel operating in a negligent manner, you are required to file a notice of violation with the district commander.

4. **TOWING WATER SKIERS IN AN AREA WHERE A FALLEN SKIER MIGHT BE HIT BY OTHER VESSELS MAY CONSTITUTE NEGLIGENT OPERATION**

    a. Also, towing water skiers in areas where obstructions exist may fall in the same category.

5. **OPERATION WITHIN SWIMMING AREAS WHEN BATHERS ARE PRESENT**

    a. The mere operation in an area where swimmers are normally present but are not present at the time would be difficult to prove applicable under the language of the law which states: "so as to endanger the life, limb, or property of any person." However, if the area is posted, the case becomes aggravated and if swimmers are present, a grossly negligent situation probably exists.

6. **OPERATION IN THE VICINITY OF DAMS WHEN SUCH AREAS ARE KNOWN TO BE HAZARDOUS**

    a. When the areas are marked by warning signs, posters, buoys, or other means to inform the public of the hazards present, operation there would be of a greater degree of negligence than if not posted. Where there has been previous usage of the waters by boaters, it may be difficult to prove a negligent case unless there is a history of casualties at the specific locale or in a similar area.

7. **CUTTING THROUGH AN AREA WHERE A REGATTA OR MARINE PARADE IS IN PROGRESS**

    a. Cutting through an area where a regatta or marine parade is in progress in a way that could hazard participants or spectators, interfere with the safe conduct of the event, or otherwise cause an unreasonable nuisance is negligence.

    b. These are just a few examples of negligent operation. As a boarding officer, you will encounter other negligent operation cases. You will have to decide whether the operation is negligent or not. Just remember, operation of a vessel which endangers life, limb, or property in any way is negligent operation.

E. PROCEDURES FOR HANDLING CASES INVOLVING NEGLIGENT OPERATION

1. The following discussion concerns the steps a Coast Guard boarding officer should take when observing an act of negligent or grossly negligent operation:

    a. Stop the subject.

    b. Inform the operator of the reasons why his operation is negligent and tell him to cease this type of operation.

    c. Examine the vessel.

    d. Fill out and complete Report of Boarding (CG-4100) plus a supplemental report furnishing the information required. (Given in chapter on CG-4100.) Be sure this form and the supporting papers contain all applicable information concerning the violation. (SEE ILLUSTRATION AT END OF CHAPTER.)

    e. Give the violation copy of Form CG-4100 to the operator of the vessel.

    f. The commanding officer or officer-in-charge of the reporting unit will review the report and its supporting papers, procure additional information, if it is needed and can be readily obtained, and then forward the report and the supporting papers in accordance with district instructions.

2. A CITIZEN'S COMPLAINT

    a. If a citizen's complaint of negligent operation is received by telephone, apply the following procedures:

        (1) If action is still occurring and it is within the capability of the unit to take positive action, dispatch personnel to the scene of the incident. The personnel dispatched will:

            (a) If the offending vessel is still at the scene, board and examine the vessel.

(b) If the offending vessel has departed the scene, attempt to contact the citizen making the complaint, and obtain the information required.

(2) If action has ceased at the time the complaint is received, the receiving Coast Guard unit will:

(a) Request the complainant to forward a written complaint of the incident to the Coast Guard. Advise the complainant of what facts should be included in the complaint, or

(b) Request the complainant come to the unit where the Coast Guard will assist the person in preparing a written complaint, or

(c) If only a short time has elapsed since the incident, and it seems advantageous to make immediate inquiry into the matter, dispatch personnel to investigate.

b. If a citizen's written complaint has been received, or a preliminary inquiry of an incident has been made by Coast Guard personnel but no actual boarding has taken place, the following instructions apply:

(1) The commanding officer or officer-in-charge will review the complaint or the results of the inquiry. If additional information is necessary and it is readily obtainable, take steps to obtain it.

(a) If from the facts available it appears that a negligent operation violation occurred, complete Form CG-4100 and forward it, together with any supporting papers, to the district commander via the chain of command. A copy will also be sent directly to the district commander.

(b) If from the facts available it appears that a negligent operation violation did NOT occur, forward the material to the district commander via the chain of command. **Do not complete a Form CG-4100.** In all of the above cases an individual complainant may be advised that Coast Guard action in no way limits his right to pursue civil action or to make complaint to state or local authorities (especially where violations of state or local laws are alleged).

3. In some cases it may be necessary to arrest the operator of a vessel for negligent operation. If you must arrest, follow the arrest procedures listed in Chapter 13 or the step-by-step procedure listed in Section III-10, of the Boarding Manual, CG-253.

F. EXAMPLE NEGLIGENT OPERATION CASES

1. This section covers three example cases of negligent operation. We have selected one each for the west coast, east coast, and Great Lakes area. This does not signify that these are the predominant kinds of negligent operation cases in these areas. Instead, the examples show you that negligent operation occurs in all areas where there is boating activity.

2. EAST COAST

a. While a boating safety detachment was on safety patrol, they spotted a small outboard motorboat with a young girl riding on the bow. Upon closer investigation, the detachment personnel found that the small girl was not only sitting on the bow, but was also hanging her legs over the side. The boat was underway at approximately five knots and had no rail on the bow to hold onto. The detachment stopped the boat and cited the operator for negligent operation.

QUESTION:	Why was this operator cited for negligent operation?
ANSWER:	The operator was cited for negligent operation because the boat was carrying a girl on its bow who was hanging her legs over the side. There was nothing for her to hold onto. The danger in this type of operation is caused by the possibility of the girl falling over the side from a jerk or roll of the boat as it moves through the water and the boat running over the girl. This operation endangers life and is the basis for the negligent operation citation.

9.F.

3. GREAT LAKES

a. This case occurred in the Great Lakes region on an inland lake classified as Federal waters because of its location between two states. A safety patrol was underway on the lake. At approximately 0035, the patrol spotted an outboard motorboat operating with no navigation lights except for the 12-point stern light. The safety patrol stopped the boat and informed the operator that he was operating without the proper lights.

b. An examination of the boat was then conducted and the following violations were found:

(1) Insufficient personal flotation devices aboard.

(2) no certificate of number aboard.

(3) No sound producing device aboard.

(4) Number improperly displayed.

(5) Improper navigation lights.

c. In addition, the operator was very uncooperative and used abusive language to the boarding officer. After the operator was given the violation copy of the Report of Boarding, he placed his boat's throttle full forward. As the boat was moving forward, it scraped the side of the patrol boat. When the amidship section of the vessel was passing the safety patrol boat's bow, the operator placed his boat in a hard right turn.

d. Due to the darkness and the shallowness of the area's waters, the boarding officer did not chase the boat. Since he had all the necessary information from the examination, all he needed to do was add the violation of negligent operation to the boarding form.

QUESTION: Since the violation was not listed on the operator's copy of the boarding form, can the operator be cited for a violation, and why, in this case, was the operator cited for negligent operation?

ANSWER: To answer the first part of the question--yes, the operator can still be cited for the violation. Just as the supporting

9.F.3.d.(Continued)

information that you list on the district commander's copy of the boarding form need not appear on the operator's copy, neither must the description of the violation appear on the operator's copy. But if requested by the operator/owner, all information that you have must be available to the person. In the case just mentioned, the boarding officer had the necessary information from the examination he had performed before the negligent operation took place. In order to prevent possible injury to the personnel on both boats, the boarding officer avoided a chase. In this case, negligent operation was demonstrated in several ways. The patrol boat was damaged when the other boat took off. The people on the outboard motorboat were threatened with injury because the boat was operated too fast for conditions, and the sharp turn could have thrown the occupants out of the boat. Finally, operating after dark without proper lighting was deemed negligent operation due to the inability of other boats to see the improperly lighted boat. However, improper lighting is not always negligent operation; it will depend on the specific situation.

4. WEST COAST

a. A boating safety detachment (BOSDET) was patrolling a regatta in Newport Bay, California. The regatta was a yacht race and there were numerous spectator vessels in the bay area. Just before the start of the race, the BOSDET noticed a small outboard motorboat proceeding through the starting area at a high rate of speed. The BOSDET hailed the boat with a loud hailer, but the operator continued to proceed at a high rate of speed toward the starting line. The boat was hailed again by the BOSDET and was directed to proceed out of the starting area and to standby for an examination. At this time the operator of the boat proceeded through the starting area again at a high rate of speed. The BOSDET commenced to chase the offender as it appeared that the boat was not following their instructions. The BOSDET chased the boat for approximately two miles. At this time the boat slowed down. The BOSDET maneuvered as close to the offender as possible in order to direct him to stop for an examination. When the BOSDET was near the boat, the operator was again ordered to stop. The operator of the boat then asked the boarding officer what authority he had to stop his boat. (Keep in mind that both boats are still moving.) The boarding officer replied that under 14 USC 89, Coast Guard commissioned, warrant and

9.F.4.a.(Continued)

petty officers had the authority to stop and examine vessels on Federal waters. The operator of the boat laughed, made some obscene remarks, and maneuvered his boat in such a way that the BOSDET boat was unable to go alongside. A few minutes passed and the offender again took off at a high rate of speed away from the BOSDET boat. The BOSDET boat commenced to chase the vessel again. When the BOSDET boat caught up this time, the vessel was again ordered to stop and again the operator refused. After attempting all the methods known to the boarding officer to stop the vessel, the boarding officer threw a piece of nylon line at the propeller of the boat. This frightened the operator of the motorboat and this time he stopped. The BOSDET boat then went alongside and the boarding officer arrested the operator for grossly negligent operation. The operator was placed on the BOSDET boat in custody of the boarding officer and the operator's boat was taken in tow. Enroute to the Coast Guard moorings, the boarding officer read the arrested man his rights and notified the nearest Coast Guard unit that he was bringing in an arrested man and his boat (the district (RCC) was also advised). After the operator was arrested his boat was examined and the following violations found: No personal flotation devices aboard for the four POB, and the certificate of number was not aboard. In addition to these violations, the following notation was added: Grossly negligent operation.

b. The grossly negligent operation of the boat occurred when the operator was operating at a high rate in an area where there were numerous other boats. This operation endangered those on the operator's boat as well as the other boats in the area.

c. The operator was arrested because he meant to operate the boat in a careless fashion and if allowed to continue he most likely would have caused an injury or damaged some property.

d. The case was dismissed under criminal prosecution due to the operator's age (17). The case was handled under civil penalty proceedings and the operator was fined $300.00 for the violations.

G. SUMMARY

9.G.(Continued)

1. Proper enforcement of negligent operation will enhance boating by making it a safer sport. The curtailment of negligent operation will hopefully make our waterways safer.

2. Before conducting boating safety patrols, you should review the 16750.3 series of Commandant and district commander instructions concerning the various policies in this field.

9.INFORMATION SHEET

U.S. COAST GUARD INFORMATION SHEET

REPORT OF NEGLIGENT OR GROSSLY NEGLIGENT OPERATION

1. **Type of Offense**

( ) Excessive speed.
( ) Overloading of vessel.

a. Number of persons on board. ____

b. Rated load capacity (if available), ____

( ) Operating under the influence of liquor, drugs, etc.
( ) Operating within restricted bathing area or otherwise near swimmers.
( ) Operating in area posted as dangerous.
( ) Other (Specify).

NOTE: The actions listed above do not, under all circumstances, constitute negligent or grossly negligent operation. A full explanation of the incident must be provided in Item #11.

2. **Description of Offending Vessel**

Vessel Number: ________________ Vessel Name: ________________

Hull Material: ________________ Make & Model: ________________

Engine Horsepower: ____________ Length: ________________

Use:
( ) Pleasure
( ) Passengers for hire
( ) Commercial fishing
( ) Other (Specify)

Propulsion:
( ) Inboard
( ) Outboard
( ) Inboard-Outboard
( ) Other (Specify)

3. **Name and Address of Owner** (Offending Vessel)

____

____

____

9.INFORMATION SHEET

4. **Name and Address of Operator** (Offending Vessel)

____

____

____

5. **Time and Place of Incident**

Date:____________________ Time:________ ( )A.M. ( )P.M.
(Month, Day, Year)

Body of Water:__________ Nearest Town or City:__________

Exact Location (Bearing and distance from known landmark or latitude and longitude):

____

6. **Weather and Sea Conditions**

Weather:
( ) Clear
( ) Rain
( ) Fog
( ) Other (Specify)

Visibility:
( ) Good
( ) Fair
( ) Poor

Water:
( ) Calm
( ) Choppy
( ) Rough
( ) Strong Current

Wind:
( ) None
( ) Light
( ) Moderate
( ) Strong Storm

7. **Attitude and Conduct of Operator** (Offending Vessel)

( ) Cooperative
( ) Uncooperative (explain below)

9.INFORMATION SHEET

8. Injuries Sustained

Name	Address	Injury
1.		
2.		
3.		

(If additional space is needed, use attached sheet)

9. Property Damage (Include nature and extent)

10. WITNESSES

Name	Address	Willing to testify Yes	No
1.		( )	( )
2.		( )	( )
3.		( )	( )

(If additional space is needed, use attached sheet).

11. Description of Incident (Include, as applicable, the following information).

    a. Description of area (a sketch or scale drawing would be helpful).

9.INFORMATION SHEET

b. Proximity of bathers, waterskiers, or vessels.

c. Approximate routes and speeds of offending vessel and reporting vessel.

d. Action which endangered life and/or property.

e. Approximate size of wake.

(If additional space is needed, use attached sheet).

12. **Offense Reported By:**

Name: ______________________ Signature: ______________________
Address
(or Unit): ______________________ Telephone #: ______________________
____

Instruction to Complainant

1. The complainant is requested to complete this information sheet to the best of his ability and knowledge (including Item #11).

2. If there were witnesses to the incident, obtain statements from each and mail these statements along with this completed information sheet to:

(PUT THE ADDRESS OF YOUR DISTRICT HERE)

Instruction to Coast Guard Personnel

1. Coast Guard personnel receiving complaints of negligent or grossly negligent operation, which they did not witness, shall furnish the complainant a copy of this information sheet and direct him to comply with the above instructions. Any assistance which can be given the

complainant in completing this sheet or in obtaining supporting statements from witnesses shall also be provided.

2. Negligent or grossly negligent operation witnessed by Coast Guard personnel shall be handled as follows:

   a. "Report of Boarding and Notice of Violation" (Form CG-4100) shall be prepared at the time of boarding. The preparation of this information sheet does not alter the boarding officer's responsibility to also prepare Form CG-4100.

   b. The boarding officer shall obtain from all witnesses a brief, clear statement containing their observations of the incident. These statements shall be attached to this form as a part of the preliminary inquiry.

   c. Form CG-4100, this information sheet, and any supporting statements from witnesses shall be forwarded to the district commander via the chain of command and the OCMI having geographical jurisdiction.

   d. In order to apprise the district commander of the status of cases of this nature, a copy of Form CG-4100 shall be forwarded direct to the district commander by the commanding officer or officer-in-charge of the unit reporting the violation.

CHAPTER 10: CORRECTION OF AN ESPECIALLY HAZARDOUS CONDITION

A. AUTHORITY FOR CORRECTION OF AN ESPECIALLY HAZARDOUS CONDITION

1. Termination of unsafe use as a means of correction of an especially hazardous condition derives its authority from Section 13 of the Federal Boat Safety Act of 1971 which reads as follows:

   Section 13. If a Coast Guard boarding officer observes a boat being used without sufficient lifesaving or firefighting devices or in an overloaded or other unsafe condition as defined in regulations of the Secretary, and in his judgment such use creates an especially hazardous condition, he may direct the operator to take whatever immediate and reasonable steps would be necessary for the safety of those aboard the vessel, including directing the operator to return to mooring and to remain there until the situation creating the hazard is corrected or ended.

B. INSUFFICIENT LIFESAVING AND FIREFIGHTING DEVICES

1. First, we will clarify the terms insufficient lifesaving devices (personal flotation devices) and firefighting devices. For example, you have stopped a boat and in your examination you find the boat either has fewer personal flotation devices than required for the number of people on board, or has insufficient firefighting devices aboard. **In your opinion**, if the boat is used further with either of these deficiencies, an especially hazardous condition will be created. You, as a boarding officer, may require the operator to take corrective action necessary for the safety of those persons on board the boat. If the corrective action can only be obtained by having the boat returned to the nearest safe mooring, you are authorized to require the boat to return to the mooring, and in addition, to remain there until the deficiencies are corrected or ended.

C. OVERLOADING

1. Another example where this authority could be used by boarding officers would be for an overloaded boat. You, as a boarding officer, stop a boat which has very little freeboard, and is taking or could take on water very easily. You determine this boat to be overloaded, and if the boat is continued to be used, the people on board could find themselves with a sinking or capsized vessel. For this reason an especially hazardous condition is created by the overloading, and you would terminate the use of the boat. However, you must exercise

extreme caution in this case. Should you order the boat back to mooring without providing an escort or reducing the overloaded condition (by taking passengers or gear aboard your patrol boat), the boat may sink or capsize while carrying out your order. Whenever in doubt about the safety of the persons on board the boat, escort the terminated vessel to the **nearest** safe mooring.

D. OTHER UNSAFE CONDITIONS

1. Finally, Section 13 refers to "other unsafe conditions as defined by the Secretary." These other unsafe conditions are determined by the Commandant of the Coast Guard, not the boarding officer, and are published as regulations. If the boarding officer considers an unsafe condition to exist other than insufficient personal flotation or firefighting devices, or overloading, it must be one of the unsafe conditions published in regulations before it can be enforced. At the present, "other unsafe condition" means a boat-

   a. Does not display the prescribed navigation lights between sunset and sunrise;

   b. Has fuel leakage from either the fuel system or engine;

   c. Has an accumulation of fuel in the bilges or a compartment other than a fuel tank;

   d. Does not meet the ventilation requirements for tanks and engine spaces;

   e. Does not meet the requirements for backfire flame control.

   f. Hazardous bars (CCGD 13 only);

   g. Manifestly unsafe voyage.

E. USE OF TERMINATION AUTHORITY

1. The important thing to remember when considering this action is that three conditions must exist before it is authorized. First, the boat must have **insufficient personal flotation devices**, or **insufficient firefighting devices**, or it must be overloaded or have one of the "other unsafe conditions" listed in the regulations. Second, the unsafe condition cannot be corrected on the spot. Third, continued use of the boat with one or more of **these unsafe conditions** present would have to create **an**

especially hazardous condition, "especially hazardous" meaning a condition involving a **substantial** risk of injury or loss of life.

2. All three conditions must apply before the boarding officer can terminate the use of a boat. Prior to using this authority, make sure you are authorized. Much embarrassment will be created if you use it and are not authorized. At present, only those petty officers holding either the BC or BB designator, commanding officers, and designated officers are authorized to exercise this authority. Refer to Commandant Instruction 16750.3 series for a complete discussion.

QUESTION:	What is an example of insufficient firefighting devices which may create an especially hazardous condition?
ANSWER:	A 30' motorboat is examined and is found to have **neither** of the required fire extinguishers aboard. When stopped, the vessel was headed offshore with 5 POB. The boat is equipped with two gasoline engines, and has 200 gallons of gasoline aboard. The possibility of a fire exists due to the gasoline engines and extra fuel. As the boat is headed offshore, should it have a fire, extra time may be required for assistance to arrive on scene. This, therefore, creates an especially hazardous condition.

3. The authority to terminate use of a vessel can help prevent injuries or loss of life and property on the water. However, this authority must be properly used less we interfere with the constitutional rights of our countrymen. Remember Alexander Hamilton's statement in chapter one of the Boarding Manual (CG-253).

F. PREPARATION OF CG-4100 WHEN TERMINATING USE

1. When a boarding officer orders the termination of a boat he must circle the appropriate box/boxes on the Notice of Violation, CG-4100 and list any instructions given to the operator of the boat being terminated in the remarks section. Also note in blocks 68 and 69 of CG-4100.

2. The following illustrations are examples of what one district is doing when ordering termination of a boat. The first illustration is an explanation of the termination authority. This is given to the operator along with the Report of Boarding (CG-4100). Note that the boarding officer lists his name and unit on this sheet. The second illustration is a form on which the boarding officer can submit information concerning the circumstance surrounding the termination. This form is forwarded

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10.F.2.(Continued)

to the district as an attachment to the CG-4100. This sheet is not given to the operator. These are examples which can aid you in the enforcement of the termination authority. These illustrations are suggested aids, not requirements.

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10.ILLUSTRATION A

ILLUSTRATION A

DEPARTMENT OF TRANSPORTATION UNITED STATES COAST GUARD TO DIRECT THE CORRECTION OF AN ESPECIALLY HAZARDOUS CONDITION

Federal Boat Safety Act of 1971 (Public Law 92–75)

Section 13. If a Coast Guard boarding officer observes a boat being used without sufficient lifesaving or firefighting devices or in an overloaded or other unsafe condition as defined in Regulations of the Secretary (of the Department in which the Coast Guard is operating), and in his judgment such use creates an especially hazardous condition, he may direct the operator to take whatever immediate and reasonable steps would be necessary for the safety of those aboard the vessel, including directing the operator to return to mooring and to remain there until the situation creating the hazard is corrected or ended.

For the purpose of section 13 of the Act "other unsafe condition" means a boat—

Does not display the navigation lights required
Has fuel leakage from either the fuel system or engine;
Has an accumulation of fuel in the bilges or a compartment other than a fuel tank.
Does not meet the ventilation requirements for tanks and engine spaces
Does not meet the requirements for backfire flame control.

Your boat is being boarded to determine if the above authority provided to the Coast Guard should be used to insure the safety of the persons on your boat.

Your boarding officer is ________________, of Coast Guard unit ______________ and is specifically trained and authorized to perform this function. He will not unnecessarily interrupt your boating pleasure, but he must be assured of your safety. Your cooperation will aid considerably in reducing the amount of time required.

All three conditions must apply before the boarding officer can terminate the use of a boat. Prior to using this authority, make sure you are authorized. Much embarrassment will be created if you use it and are not authorized. At present, only those petty officers holding either the BC or BB designator and designated officers are authorized to exercise this authority. Refer to Commandant Instruction 16750.3 series for a complete discussion.

QUESTION: What is an example of insufficient firefighting devices which may create an especially hazardous condition?

10.ILLUSTRATION A(Continued)

ANSWER:	A 30' motorboat is examined and is found to have neither of the required fire extinguishers aboard. When stopped, the vessel was headed offshore with 5 POB. The boat is equipped with two gasoline engines, and has 200 gallons of gasoline aboard. The possibility of a fire exists due to the gasoline engines and extra fuel. As the boat is headed offshore, should it have a fire, extra time may be required for assistance to arrive on scene. This, therefore, creates an especially hazardous condition.

The authority to terminate use of a vessel can help prevent injuries or loss of life and property on the water. However, this authority must be properly used less we interfere with the constitutional rights of our countrymen. Remember Alexander Hamilton's statement in Chapter One of the Boarding Manual.

ILLUSTRATION B

UNIT_______________
DATE_______________

SUPPLEMENT SHEET TO BOARDING REPORT #_______________
(Refer to # on CG-4100)

1. IN MY JUDGMENT THE BELOW NOTED CONDITIONS CREATED AN ESPECIALLY HAZARDOUS CONDITION.

2. The following unsafe conditions were observed:

   a. ____Insufficient lifesaving devices

   b. ____Insufficient firefighting devices

   c. ____Overloaded (Detailed explanation required) Operator must be cited for negligent operation

   d. ____Failure to display required navigation lights

   e. ____Fuel leakage (Fuel system or engine)

   f. ____Fuel accumulation (Other than fuel tank)

   g. ____Failure to meet ventilation requirements

   h. ____Failure to meet backfire flame control requirements

3. Distance offshore ________mi.

   Sea height ________feet

   Greatest wind ________knots

   Visibility ________miles

4. Other conditions contributing to hazard:

   ____

   ____

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10.ILLUSTRATION B(Continued)

5. Specific instructions given the operator were:

6. Boarding officer action to assist insuring safety:

7. REMARKS:

BOARDING OFFICER SIGNATURE ORDERING
THE TERMINATION OF UNSAFE USE

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10.ILLUSTRATION B(Continued)

Should any violation of the above Federal requirements be observed and, in the boarding officer's judgment, such deficiency creates an especially hazardous condition to the occupants of the boat, you will be directed to take specific steps to correct the unsafe condition. Immediate compliance is required for safety purposes.

Failure to comply with the directions of the boarding officer will result in a citation for that non-compliance as well as the specific violations which created the unsafe condition. This use could result in prosecution in a Federal court resulting in a sentence of up to (1) year in jail and $1,000 fine. If required for the protection of life or limb, the operator may be arrested for violation of Section 12d (46 USC 1461d) of the Federal Boat Safety Act of 1971 (grossly negligent operation) under the authority granted under 14 USC 89.

Please remember that the action taken is for your safety and if you have any questions, the boarding officer will answer them or advise you where to find the answer.

CHAPTER 11: BOAT EXAMINATION TECHNIQUES

A. INTRODUCTION

1. This chapter discusses the safety patrol concept and recommends various techniques for examining boats, yachts and uninspected vessels. Much of the material presented on boarding techniques has been taken from the experience of professional boating safety personnel. These techniques are recommended to help you in your examination and can be modified as needed to fit your situation. Each boarding officer will perfect his own techniques with practice.

2. The majority of boats that are examined each year are primarily recreational boats. The people aboard these boats are, for the most part, relaxing and temporarily escaping from their daily responsibilities. Consequently, these people don't really want to be bothered with a safety examination. Some of the boating public will consider a Coast Guard examination as an inconvenience and an infringement of personal rights. You as a boarding officer are going to have to make these boaters feel that the examination is useful and is being made for their safety. Even with this thought in mind you should examine vessels with a minimum of delay, yet still be thorough. If at all possible, you should make examinations in locations where other boat traffic is not obstructed, and where it is easy to maneuver alongside safely. In the following sections we discuss the proper methods of selecting areas for safety patrols, duties of a safety patrol and suggested techniques in examining vessels.

B. SAFETY PATROL CONCEPT

1. A "Safety Patrol" is defined as a roving waterborne patrol of boating areas for the purpose of deterring, detecting, and reporting unsafe practices; observing aids to navigation and reporting deficiencies; and being immediately available for response to a search and rescue demand. Boating safety detachments and Coast Guard shore facilities constitute the backbone of the "Safety Patrol Program." District operational units should use the safety patrol concept in boat law enforcement whenever possible. Only trained and certified boarding officers should be employed in charge of these patrols. Through their very presence, these patrols, especially if observed stopping and examining safety violators at **varying times** and **locations**, should serve to deter the operator who is prone to endangering others. The safety patrol should operate in areas of boating concentrations and be alert to detect unsafe practices such as: excessive speed, overloading, improper loading, operating in swimming areas, operating in posted dangerous waters, erratic operation, etc. The

11.B.1.(Continued)

patrol shall stop and examine those boats observed in unsafe operations. Also, any boat to which assistance is rendered will be examined (if feasible). Notices of Violation (CG-4100) will be issued when violations exist.

2. **The effectiveness of safety patrols will not be measured in terms of the number of boardings conducted.** Therefore boarding officers shall not, without reason, board boats displaying valid examination decals issued by the Coast Guard Auxiliary, or by law enforcement agencies recognized by the Coast Guard as having equivalent requirements. They shall not be so overzealous in their examination as to be distracted from their alertness to observe unsafe practices and render assistance. A mass routine **boarding program will not normally be conducted unless the district commander feels a safety problem exists within a given area.** Thus the safety patrol concept does not eliminate boardings in enforcement of boating laws and regulations, it merely places greater emphasis on penalizing unsafe operators rather than unduly interfering with the activities of the law abiding boater. With the above in mind, the patrol will still be expected to board a percentage of those boats in any area, whether observed in an unsafe condition or not, to check for compliance with equipment requirements.

3. The safety patrols provide an excellent means of meeting the boating public and directing their attention to the various boating education courses and the Courtesy Marine Examination program offered by the Coast Guard Auxiliary. These programs will be discussed in detail in Chapter 15. Boarding officers should obtain the names of Auxiliarists who may be contacted locally for further information on these efforts.

4. There is obviously plenty of room for all of us to work without competition or conflict in the boating safety field. Through careful scheduling, the Auxiliary's effort can be used to complement the safety patrol concept, and vice versa. Close liaison with the U.S. Power Squadrons in this regard is also desirable. Finally, liaison with state and other Federal agencies should be maintained and schedules of operations exchanged to obtain maximum effectiveness with a minimum of overlap.

5. When selecting an area to be assigned for a safety patrol, the need for the patrol and the conditions last found at the location should be considered. When possible, a safety patrol should operate in an assigned area for a relatively brief period of time and then move on to another area. In this way the Coast Guard can extend its influence to a greater segment of the boating public. This movement from one area to another

11.B.5.(Continued)

has been proven most effective by Coast Guard boating safety detachments.

QUESTION:	What if you observe no unsafe practices while on safety patrol but there are approximately 100 boats in the safety patrol area?
ANSWER.	You should randomly stop and examine a number of these boats. This will insure that the equipment carriage requirements are enforced, and keep the boater on his alert that even though he is observed operating safely, he could still be stopped and examined by the Coast Guard in the interest of safety.

C. EXAMINATION PROCEDURES

1. **Hailing.** Hail the vessel to be examined in a clear manner. This hail can be made with any of the following items:

   a. **Stop sign**--This is a sign made up the same as a street stop sign or a lettered placard with the word "stop." When used, it is held up so that the boat you want to stop can see it clearly.

   b. **Loud hailer**—This is probably the most commonly used device. It is pointed in the direction of the vessel to be stopped and the instructions from you are broadcast in high volume. This device usually eliminates any misunderstanding.

   c. **Hand horn or police whistle**--These are basically attention getters and after the attention is received, inform the vessel to stop.

   d. **Hold arm straight out**--This procedure is usually involved in every examination regardless of what other hailing device is used. You simply hold out your arm with your hand held palm out, toward the boat you intend to stop. This method is often mistaken as a greeting or wave and will probably require other methods as well.

   e. **A blue flashing light**—This light can be seen in daylight as well as night and is generally an attention getter. This light has been accepted for use in maritime law enforcement work. To use this device, you turn on the light, and inform the vessel to stop.

f. **Siren**--This device is a definite attention getter, but should be used as a **last resort**. The reason for this is that it can embarrass the boater by drawing the attention of fellow boaters. This does not mean that you should never use the siren. There are times when this is the only way you can stop a vessel.

2. There are other devices or methods used to hail vessels, but these are the most common.

3. After you have the attention of the vessel you should state to the operator, **"Stop--I am coming alongside,"** or **"Come alongside my boat"**; you may order the vessel to reduce speed, or to follow your boat; different situations will call for various instructions.

D. APPROACH

1. As you approach to within about 100 feet of the vessel, check the number (name and hailing port if documented) for proper display. Record this information so that it can be checked against the vessel's certificate or document when presented. If after sunset, you will also check for the proper navigation light display. As you approach you will order the vessel to be examined to come alongside or state that you are coming alongside. A general rule in approaching is that the smaller vessel usually goes alongside the larger. Prior to the approach you should check to see that enough fenders are out and that enough personnel are available to handle the boarding. Having sufficient fenders and personnel will prevent possible damage and embarrassment when going alongside.

E. VESSELS ALONGSIDE

1. After the vessel is alongside, the first thing you do is greet the operator with a "good morning or afternoon, sir or ma'am," as appropriate. If the vessel to be examined is a cabin cruiser you will have to go on board. However, if the vessel is a small open boat, you can examine it from your patrol boat. In either case, remember--DO NOT ASK PERMISSION TO GO ABOARD OR TO EXAMINE THE VESSEL. Asking permission allows the owner/operator to decline and places you at a disadvantage at the very beginning of the examination. Remember, we have already stated that the operators of most of these vessels are relaxing and may consider your boarding an irritating inconvenience. Your asking permission to board gives him an opportunity to voice his irritation and puts you on the defensive.

2. After extending the greeting to the operator, the boarding officer shall identify himself to the owner/operator: "I am Petty Officer Wade, Coast Guard boating safety officer. I am going to examine your boat for compliance with Federal laws and regulations. The personal information requested during this examination is covered by the Privacy Act of 1974. Here is the privacy act statement for your information." The boarding officer will then give to the owner/operator a copy of the Privacy Act Statement from the pad of CG-4100's ("Report of Boarding/Notice of Violation") and inform the subject that a copy of the statement will also be on nis copy of the CG-4100.

3. The boarding officer will then ask for the certificate of numbers and some other means of personal identification, such as a driver's license. Now that you have the items needed to fill out the "identification section" of the CG-4100, record the information required. Compare the number or name you recorded on approach with that listed on the certificate or document (remember each vessel will have either a certificate or document, not both).

4. If at any time during the above procedures it becomes known that the vessel has been recently boarded and supported by evidence (Auxiliary CME decal, state boarding notice, valid Form CG-4100) the examination will ordinarily be discontinued unless a violation is observed or suspected, or the vessel has been stopped because of unsafe operation.

5. When the identification section of the CG-4100 is completed, then ask the owner/operator for all equipment required in accordance with the size of vessel. Commence the examination of the items required one section at a time. By this we mean examine all the personal flotation devices before examining for firefighting devices and flame arrester. You will have to examine for the proper amount, approval, serviceable condition and in the case of personal flotation devices, that they are readily accessible or immediately available.

6. After filling in the violation section of the CG-4100 explain any violations, in the remarks section of the form. If the violation is one that a warning can be given for, sign the warning statement above the remarks section on the reverse of the original copy of the form. If the vessel has a violation, issue the original copy of CG-4100 to the operator and then explain the violation to him. You should always have copies of the pamphlet The Federal Requirements for Recreational Boats (CG-290) with you when examining vessels. This pamphlet has the requirements for vessels listed in it and if you show the applicable

11.E.6.(Continued)

section of this pamphlet to the operator as you explain the violation, it is easier for him to understand. You should carry other pamphlets relating to boating safety as well, especially those dealing with state requirements. This literature serves two purposes: One, it helps promote boating safety, and secondly, it improves the public image of the Coast Guard.

7. If the vessel has no violation, give the operator a copy of the pamphlet Federal Requirements for Recreational Boats, the colored copy of the CG-4100, and congratulate the operator. Make the congratulation in such a manner that the operator takes pride for complying with the law.

8. If a citation was given to the operator, inform him that he will receive a letter from the district commander stating what action is going to be taken in regard to the violation. If a warning for such a violation is issued, make sure you ask the operator if it is his first such violation. If it is the operator's first offense and a warning is issued, no letter will be sent by the district commander. One item worth mentioning while we are talking about violations is that boarding officers are not authorized to excuse any type of violation which vessels may have.

QUESTION:	What if the operator informs the boarding officer that he will correct the violation immediately?
ANSWER:	You would issue a violation or warning (if authorized) for the basic violation. Inform the operator that when he corrects the violation, to bring the vessel back to you. You will then reexamine the vessel. You must also inform him that this in no way excuses the first violation. However, you will make a notation on your copy and the district's copy of the first boarding form stating that the owner or operator was reexamined and found to be in compliance.
QUESTION:	What should I do if asked: "May I cruise around the lake again?" or "I'm on vacation, where can I purchase the required equipment?" or "The marinas here charge too much, can I wait until I return home from the weekend or vacation?"
ANSWER:	You as a boarding officer should advise the owner or operator that further operation in violation of the law could subject him to additional penalties. Strongly recommend that the owner/operator return to shore and obtain the necessary equipment. You cannot tell the owner/operator that it is

11.E.8.(Continued)

permissible with you if he continues to operate in violation for the remainder of the day, weekend, etc. Learn your area so you can answer questions on where boaters may purchase approved equipment. Remember many of the boaters you will meet are from other areas.

F. PREVIOUS EXAMINATIONS

1. In the beginning of this chapter, we mentioned that in addition to the Coast Guard, the Coast Guard Auxiliary, and some states perform vessel examinations. Each organization gives some type of certificate to those vessels found in compliance with applicable requirements. The Coast Guard Auxiliary gives a decal such as that shown in figure 11-1. The color of these decals changes each calendar year.

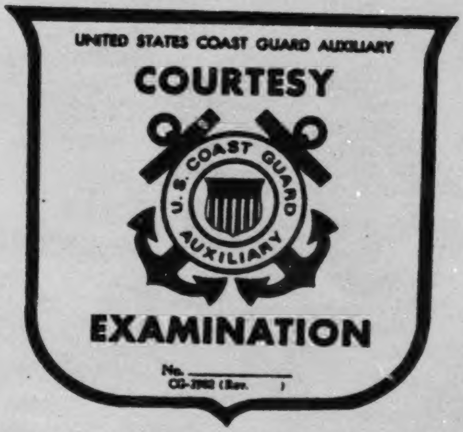

UNITED STATES COAST GUARD AUXILIARY
COURTESY
U.S. COAST GUARD
AUXILIARY
EXAMINATION
No.

Figure 11-1

11.F.

2. This decal is usually placed on the windshield or on one of the cabin windows of the vessel. The states give a variety of items which designate compliance with their law such as: decals, certificates, colored stickers, etc.

3. If you recognize any of these decals on a vessel to be examined, and you have not observed the vessel operating in an unsafe manner, you can accept this as evidence that the vessel complies with the law and therefore need not be stopped. Some districts have set different policies concerning acceptance of these decals. You should consult your district instructions concerning individual policy. Remember, these items are only accepted when you observe the vessel operating in a safe manner. If the vessel is observed in an unsafe manner, you are compelled to examine the vessel. One last rule to remember is: Boarding officers EXAMINE vessels; marine inspection officers INSPECT vessels.

QUESTION: What would you do if a vessel you hailed gives you a vulgar gesture and does not stop?

ANSWER: This is another reason for observing and recording the number/name of the vessel on approach. If the area is not congested and you could chase the vessel without causing damage to other vessels in the area, you would pursue the vessel. If you could not pursue the vessel, you would record the name/number of the vessel on a CG-4100, with all applicable information concerning the situation in the remarks section of the form. Make sure you provide the district with as much information as possible concerning the description of the boat.

QUESTION: What should I do if the operator of a vessel I am examining calls me insulting and vulgar names?

ANSWER: This will probably be your greatest test as a professional boarding officer. However, words, no matter how insulting or vulgar, are not a violation of Federal law. You as a boarding officer are going to have to take the abusive language, informing the operator that the examination is for his SAFETY and is not for harassment. But regardless of the outcome of the examination, do not give the operator the colored copy of the CG-4100. Furnish all the information to the district office including the ACTUAL language used by the operator.

G. SUMMARY

1. In this chapter we have explained what a safety patrol is and how it should be conducted. We have also listed some suggestions on how to examine a vessel.

2. The selection of an area in which to perform safety patrols is most important to the success of your boating safety efforts. Assigning a safety patrol to an area where there is a heavy concentration of boating would have a greater impact on safe boating than selection of a less active waterway.

3. Developing your own technique in examining vessels will also enhance the program. A good technique will detain the operator of a vessel for a minimum amount of time. After you have performed this technique a number of times, the preparation of the reporting form will become routine and chances for making a mistake are decreased. This is not to imply that you should go out and examine every vessel you see in order to develop a technique. Remember the policy is to be on the lookout for the unsafe operator. If none is observed, you should make random examinations of those boats present for compliance with equipment requirements.

4. Other items mentioned in this chapter were the acceptance of the decals issued by the Coast Guard Auxiliary and various states to vessels complying with their regulations. We have also discussed the procedures for handling an abusive or foul-mouthed boater.

5. Boarding officers are authorized to use discretion in many aspects of their duties. This discretion will be put to its utmost test when you have a hostile operator alongside and he is calling you every name in the book. You must keep in mind that this is not a violation of Federal law and you must take the abuse by KEEPING YOUR COOL. Never let a situation like this cause you to return the slander either by words or assaulting measures. That type of action places blame on you as well as the operator. Remember the abusive words used by the operator are only used for purposes of recording them on the CG-4100 which will be sent to the district commander and then forget them even though your pride may have been wounded.

H. CHAPTER QUIZ

1. Define a "safety patrol" giving the three main goals.

2. Name four methods of hailing a vessel.

3. Should you, as a Coast Guard boarding officer, ask permission to board? Why?

4. Boarding officers __________ vessels; marine inspection officers __________ vessels.

CHAPTER 12: PREPARATION OF NOTICE OF VIOLATION/REPORT OF BOARDING FORM, CG-4100

A. INTRODUCTION

1. The Report of Violation of Boarding/Notice Form CG-4100 has been designed on the "traffic ticket" concept for use in conjunction with the Coast Guard's boating safety program. It can be used for one of three purposes: (1) to give the owner, master, or operator of a vessel written evidence of satisfactory compliance with the law (the display of this copy of the form on approach of a boarding officer will avoid repeated boarding of the vessel unless the vessel was observed in violation by that official); (2) to give the owner, master, or operator written **notice** of an alleged violation of the law; or (3) to give the owner, master, or operator a written **warning** of an alleged violation of the law.

2. You, as the boarding officer, are required to be proficient in the preparation of this form. The inability of a boarding officer to prepare the form correctly and swiftly not only detains the vessel but could also delay the processing of a case by requiring unnecessary correspondence to obtain information that should have been recorded on the form.

3. This chapter includes step-by-step procedures for preparing form CG-4100, how to distribute copies of the form, how to submit copies of the form and additional reports required in connection with the boating safety program.

B. PREPARATION PROCEDURES

1. Form CG-4100 is a four part set, carbon sensitized (not requiring carbon paper) form consisting of a white original and three copies (one of which is colored), bound in a pad consisting of twenty-five sets. Filling in the original with a ballpoint pen will execute the other three copies. The data on the form must be legibly **printed**, accurate, and complete. If any information required on the form is omitted, the reason for it being omitted must be entered on the form. Fill out the form paying attention to the LEGIBILITY of the entries. Circle items with a (0).

2. On the front cover of the pad containing the forms (Figure 12-1), some instructions for boarding officers are listed. On the reverse of the front cover (Figure 12-2) the minimum equipment requirements are listed. The inner front flap (Figure 12-3), which is part of the bottom of the pad, should be placed under the last copy of a set of forms to keep the printing from going through on to another set of forms. On this flap

are printed some boating law violations with applicable regulations and statutory citation for your ready reference.

3. Figure 12–4 is an example of the original copy of the CG-4100 form. You will note that each block of the form in this figure has been numbered. These numbers match the explanation of data to be placed in each block that follows:

4. The following guidelines shall be used in the preparation and processing of Form CG-4100:

a. **BLOCK DESCRIPTION**

(1) **Report Number** - Blocks (1–6) as established by district commander.

(2) **Date** - Blocks (7–12) state numerical equivalents of Month/Day/Year. Example: 3 July 1978 is 07/03/78.

(3) **Boarding Time - Local 24 Hour Clock** - Blocks (13–16) - Use 24 hour clock time here using only 4 numbers.

(4) **Vessel Number** - Blocks (17–24) State or Coast Guard number issued to boat from certificate of numbers or from vessel document. Start at left block. If you have blocks without a number, leave blank. Omit hyphens in number.

(5) **Vessel Name** - Insert name of boat, if none, leave blank.

(6) **Hull Identification Number (HIN)** - Blocks (25–27) Boats whose construction began after 31 October 1972 are required to have a 12 character identification number affixed to the hull either outboard on the transom or, in the absence of a transom, on the starboard side nearest the end bearing the rudder or other steering mechanism. Enter the twelve characters in blocks available making sure that the manufacturer's I.D. code, which are the first 3 letters placed in blocks 25, 26 and 27. If HIN is not required, leave blank.

(7) **Make, Model** - For make, indicate manufacturer, and for model, indicate manufacturers' model.

(8) **Model Year** - Blocks (28–29) - Indicate model year - example: 1978 would be 78.

(9) **Net Tons** - From vessel document. If boat is numbered, leave blank.

(10) **Length** - Blocks (30–31) - Overall length measured in a straight line from end to end over the deck along center line excluding bowsprit, sheer, deckhouse, and equipment. This measurement may have to be taken where the certificate of number does not reflect the length or is near the various departure lengths that would determine differences in equipment carriage.

(11) **Horsepower (HP)** - Blocks (32–34) - Indicate total horsepower of mechanical propulsion. Do not use decimals to denote horsepower. (7.5 should be 7 1/2).

(12) **Use** - Circle appropriate box. If the normal use is different from the one observed at the time of boarding, circle the number for normal use and check equipment applicable to this use.

(13) **Persons on Board (POB) - Adult size (35–36) - Child Size (37–38)** - Enter appropriate number in blocks 35 and 36 for adults on board, and appropriate number in blocks 37 and 38 for children on board. All waterskiers are to be counted as persons on board.

(14) **Type of Boat** - Block (39) - Circle the appropriate box.

(15) **Propulsion** - Block (40) - Circle the appropriate box.

(16) **Hull Material** - Block (41) - Circle the appropriate box.

(17) **Engine Compartment** - Block (42) - Circle appropriate box. This compartment is considered to be "open" when spaces are opened to the atmosphere when entrapment of vapors and gases is not possible.

(18) **Fuel Compartment** - Block (43) - Circle the appropriate box. This compartment is considered to be "open" when spaces are opened to the atmosphere when entrapment of vapors and gases is not possible.

(19) **Construction** - Block (44) - Circle the appropriate box. For the purpose of fire extinguisher and ventilation requirements, open construction is defined as when fuel, machinery, or other compartments and decking are open to the atmosphere not allowing the entrapment of fuel vapors or gases. Permanently installed fuel tanks constitute **closed** construction.

(20) **Owner/Operator's Name and Address** - Start at left block, enter last name, **space** first name, **space** and middle initial. Circle appropriate box for Mr., Mrs., or Ms. Give street address, city, state, and zip code. This information should be obtained from acceptable identification. If owner was also the operator, leave operator section blank.

(21) **Owner Information** - Block (45) - Circle appropriate box.

(22) **Operator Courses** - Block (46) - Circle appropriate box.

(23) **Operator Age, if under 18** - Blocks (47–48) - If operator is under 18 years old, enter age. If over 18, leave blank.

(24) **Observed in Use** -

(a) **Body of Water** - Enter charted or published name.

(b) **County** (49–51) Enter county in which the body of water is located. If vessel is out of U.S. territorial waters, leave blank.

(c) **City, State** (52–53) Enter nearest city, town, or village that can be found on chart or map. Use standard postal abbreviations for state. If vessel is out of U.S. territorial waters, enter state only.

(d) **Detailed Location** - Enter as; latitude and longitude, or bearing and distance from charted object or fixed landmark, or if moored, exact position.

(25) **Violation** - Blocks (54–67) -

(a) **List of violations** - Circle only the block(s) corresponding to the general violation(s) observed. Enter in the "Remarks" section the description of the specific violation committed, it is imperative that the specific amplifying information on the violation be listed in the Remarks section.

(b) **Personal Flotation Devices (PFDs) #56** - Enter in Remarks section amplifying information pertaining to discrepancies in size, type, condition, etc.

(c) **Fire Extinguishers #59** - Enter in remarks section amplifying information pertaining to the number and size of fire extinguishers.

(d) **Navigational/Anchor Lights #62** - Sunrise/set. Enter time of sunrise/set only if a violation for navigational lights or negligent operation has been issued.

(26) **Unsafe Condition** - Blocks (68–76) -

(a) This section follows the process necessary to establish the need to exercise the termination of Use Authority as authorized under Section 13 of Federal Boat Safety Act of 1971. Equipment violations and additional unsafe conditions which may create an especially hazardous condition are listed as items: 56, 59, 60, 61, 62 and 70 thru 74. If any of the above items are circled, the boarding officer must then determine if, in his judgment, an especially hazardous condition is created. If an especially hazardous condition is determined to exist, the action taken, either on-the-spot correction or termination of use, must be noted in box 68 or 69. All directions issued to operator as to correction of the condition, and action taken by boarding officer will be listed in the Remarks section. If additional space is needed, use a separate sheet.

(b) **Warning Issued #75** - If issued circle box and draw a diagonal line through the penalty notification section on the reverse side. The warning section on the reverse side shall be noted to the operator. The boarding officer's signature on the line provided will attest to this notification. Boarding officer will also initial in space provided in Block #75.

(c) **No Violation #76** - Circle box to indicate no violation was found during the boarding.

(27) **Remarks Section** -

(a) The Remarks section is very important when processing the violation case. It is therefore, imperative that this section be utilized to record any amplifying information which may be pertinent to the case.

(b) **Examples of entries in Remarks sections** -

1. **#54 Numbers** - display - white numbers on white hull not contrasting.

2. **#56 PFDs** - devices required. Only 1 adult PFD on board, no other PFDs. All POBs were children.

3. **#56 PFDs** - stowage - 5 persons on board - 4 PFDs accessible 1

12.B.4.a.(27)(b)(Continued)

PFD inaccessible in a locked compartment.

(c) **Additional Remarks** - If there is insufficient space in the remarks section, use reverse side, additional pages may be appended with report number and date noted in upper right hand corner. NOTE: Any remarks on your copy should also appear on the copy you give the boat operator.

(28) **Boarding Officers Signature - Print Name, Unit, Rank/Rate** - Boarding officer sign top line and print full name below it. Unit to which attached, use standard abbreviations. Rank/Rate - enter in abbreviated form.

(29) **District Blocks** (77–78) - Enter your district here (12, 05, 07, etc.)

(30) **Type of Boarding** (79) - Circle box indicating type of boarding. For definition of a Random Sample boarding, see Commandant Instruction 16750.3, enclosure (5).

(31) **Unit SAR Case Number** - If boarding after SAR, put case number, here.

b. **CG 4100 REVERSE SIDE -**

(1) **Penalty Information Section (Procedures)** - This section informs the operator of the penalty action which will occur in processing his/her violation case. This section will be lined out in the event:

(a) a warning is issued; or

(b) a boat is terminated for an unsafe condition which is not a violation. When issuing a violation the boarding officer shall advise the boater to read this section of the form.

(2) **Warning Section** - When applicable, note to operator after drawing a diagonal line through the penalty

notification section (Procedures). Boarding officer will sign his name on the line provided to attest to notifying the operator of the warning. If a violation is issued, the boarding officer should draw a diagonal line through the Warning Section.

(3) **Privacy Act Statement** - A copy of the Privacy Act Statement shall be given to the boat operator when the boarding officer begins the boarding. These are found in the back of the pad of forms. The Privacy Act Statement is printed on each CG 4100 for the boater's information.

c. **DISTRIBUTION** - Distribution is as follows:

(1) The CG 4100 is a 4 page form, made up of the original and three copies.

(2) **Violations, Terminations, and Warnings** - The original Notice of Violation/Report of Boarding shall be given to the operator. The first copy (yellow) and second copy (white) to district commander. The third copy (white) retain for unit files.

(3) **Compliance Boarding - No Violation** - The first copy (yellow) to boat operator. The original (white) and second copy (white) to district commander. The third copy (white) retain for unit files. Do not issue colored copy (yellow) to charter, rental commercial or unnumbered boats, issue second copy (white).

(4) This form shall be completed for every vessel boarded. Use a ball point pen and PRINT all information.

C. LETTER REPORTS

1. The Boarding Manual, CG-253, requires a letter report for negligent operation cases. This letter should come from the boarding officer to the district commander via the chain of command. The letter should contain the following information:

a. Date, time and exact location of the incident.

b. Name, address, and age of the operator of the offending vessel.

c. Name and address of the owner of the offending vessel.

d. Description of the offending vessel.

  (1) Type of vessel (open motorboat, closed motorboat, etc.)

  (2) Name and/or number of vessel.

  (3) Hull construction (wood, aluminum, steel, plastic, etc.).

  (4) Length of vessel.

  (5) Type of propulsion (inboard, outboard, etc.).

  (6) Color arrangement.

  (7) Rig (number of mast, etc.).

e. Weather.

f. Visibility.

g. Sea conditions.

h. Wind conditions.

i. Names and addresses of witnesses and statements concerning their willingness to testify.

j. Proximity of bathers or other vessels.

k. Attitude and conduct of the operator.

l. Concise summary of injuries to persons or property.

m. A clear description of pertinent facts relative to the manner in which the vessel was being negligently operated.

n. A diagram of the area with appropriate location of vessel and action that contributed to the negligent operation.

2. Keep in mind that this letter is very important in determining how the case will be processed.

D. INTRODUCTION TO WARNINGS AND CITATIONS

1. The issuance of on-the-spot written warning has proven to be an effective way for qualified boarding officers to handle minor boating violations. These warnings may be issued to first offenders who display a cooperative attitude toward the boarding officer, and who indicate that any discrepancies will be promptly corrected. This authority does **not** apply in those cases where the operator is required to be licensed or in cases involving **negligent** or **grossly negligent operation.**

2. The boarding officer must ask the owner/operator if the violation is his first offense. The owner/operator's verbal statement that it is his first offense is sufficient justification for the boarding officer to issue a warning. A copy of the list of violations for which warnings may be issued should be placed in each boating safety kit for use as a ready reference for boarding officers.

3. Instances have arisen in the past where the operator has advised the boarding officer that his violation was a first offense and a written warning was issued. On occasion, a subsequent record check has disclosed that it was not a first offense. In cases such as this, **district commanders are to rescind the written warning and invoke appropriate penalties.**

E. WHEN WARNINGS MAY BE GIVEN

1. Designated officers/boarding officers are authorized to issue warnings for the following boating law violations, in lieu of issuing a Notice of Violation, if this was the owner/operator's first offense within one year:

   a. Whistle/Sound producing devices:

      (1) Improper for length of boat.

      (2) Improper operation or not audible for required distance (JUDGMENT).

   b. Personal Flotation devices:

(1) Not readily accessible or immediately available.

(2) Not suitable (size) or appropriate size.

c. Flame arrestor:

(1) Not properly maintained (openings blocked, loose, otherwise in good and serviceable condition).

d. Ventilation:

(1) Installed, but minor discrepancy, corrected on the spot (EXAMPLES: blocked, loose cowl or ducting, etc.).

e. Numbers:

(1) Invalid certificate of number or no certificate on board.

(2) Numbers improperly displayed.

f. Documented Yachts:

(1) Name and home port not displayed conspicuously.

g. Oil pollution prevention:

(1) No fixed or portable means to remove oily waste from bilges.

(2) No placard posted.

(3) Observed draining sumps of machinery into bilges.

h. Marine Sanitation Devices:

(1) Not C.G. certified.

(2) Improper operation.

2. No written warning will be issued if a boat has three or more violations at one time.

12.

F. SITUATIONS

1. This section contains four situations. You are to determine if you would give a warning or citations and give your reasons. Discuss your answer and reasoning with a classmate and/or your instructor.

2. SITUATION #1:

   a. A 19 ft. boat has improper number display (not properly spaced) and electric horn inoperative. The operator states: "Those @#%$ loose wires must have got pulled apart again when we threw the skis under the bow deck, just a second and I'll fix it for you." The operator removes skis and gets on all fours, crawls under bow, twists the wires together, gets up and blows the horn.

3. SITUATION #2:

   a. At 2300 you observe a boat approaching you from dead ahead with combination red and green lantern burning bright, but no white light visible. Upon stopping subject vessel, which is an 18-ft. outboard motorboat, you find that the operator has taped the front of the light, blocking out approximately 15 to 20 points. The operator stated that he did this to get rid of the glare and feels he is safer because he can see better.

4. SITUATION #3:

   a. You stop a 19 ft. inboard/outboard boat with two couples on board. One girl asks, "Why did you stop us, were we doing anything wrong?" Operator: "They just wanted to get a better look at you baby, all these guys have to do is ride around and stop boats with good looking girls in them. You fellows really have it made, we tax-payers buy you a boat, and furnish your gas so you can ride around and look at our girlfriends. Boy I sure wish that I had gone in the Coast Guard." Upon completing the examination you have noted the dry chemical fire extinguisher with the gauge reading zero and four Coast Guard approved buoyant vests one of which is not serviceable due to missing straps.

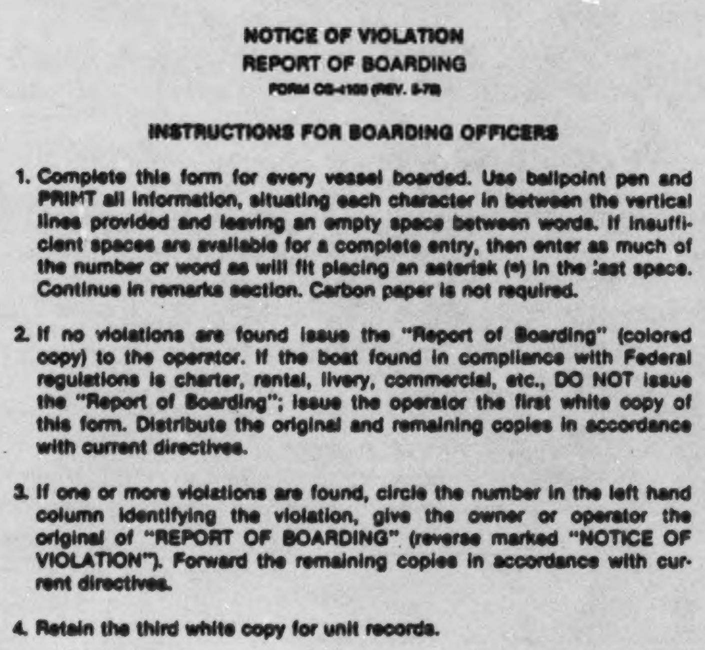
5. SITUATION #4:

a. It is a Sunday afternoon in June and you have stopped a 22 ft. cruiser for a routine examination. The passengers on this cruiser are very foulmouthed using terms such as--"Knew @#%$¢ well we shouldn't have come today, hand me that ±@#%$¢&* fire extinguisher, empty! !!#%$ I just bought the !@@#%$ thing. Oh !@#%%$ what's wrong with the %¢&* horn." No other violations are noted but profanity continues to flow as above.

G. SUMMARY

1. As we mentioned earlier in the chapter, the Notice of Violation/Report of Boarding Form, CG-4100, was designed on the "traffic ticket" concept to be used in the examination of vessels. It is most important that all the applicable information be recorded and that the information be correct. We indicated of how the form is distributed for each case, violation, warning, or no violation. You should review the 16750 series of Commandant Instructions concerning the issuance of warnings for certain violations. Remember to cover the procedures paragraph on the Notice of Violation (original) copy when issuing warnings. The letter report in support of negligent operation cases is very important to the district commander in determining whether to handle the case under civil penalty procedures or recommending criminal prosecution by a United States District Court. Prepare this form correctly, but swiftly, so as not to detain the vessel being examined. Lastly, the Commandant has authorized district commanders certain variables to use in preparing this form and the supporting papers. You should check your district instructions for information concerning these variables.

12.G.(Continued)



NOTICE OF VIOLATION
REPORT OF BOARDING
FORM CG-4100 (REV. 5-78)

INSTRUCTIONS FOR BOARDING OFFICERS

1. Complete this form for every vessel boarded. Use ballpoint pen and PRINT all information, situating each character in between the vertical lines provided and leaving an empty space between words. If insufficient spaces are available for a complete entry, then enter as much of the number or word as will fit placing an asterisk (*) in the last space. Continue in remarks section. Carbon paper is not required.

2. If no violations are found issue the "Report of Boarding" (colored copy) to the operator. If the boat found in compliance with Federal regulations is charter, rental, livery, commercial, etc., DO NOT issue the "Report of Boarding"; issue the operator the first white copy of this form. Distribute the original and remaining copies in accordance with current directives.

3. If one or more violations are found, circle the number in the left hand column identifying the violation, give the owner or operator the original of "REPORT OF BOARDING" (reverse marked "NOTICE OF VIOLATION"). Forward the remaining copies in accordance with current directives.

4. Retain the third white copy for unit records.

Figure 12–1

12.G.(Continued)

MINIMUM REQUIRED EQUIPMENT

EQUIPMENT	LESS THAN 16'	16' TO LESS THAN 26'	26' TO LESS THAN 40'	40' TO NOT MORE THAN 65' IN LENGTH
NUMBERING	All vessels equipped with mechanical propulsion			
BACK-FIRE FLAME ARRESTOR	One approved device on each carburetor of all gasoline engines installed after April 25, 1940, except outboard motors.			
VENTILATION	At least two ventilator ducts fitted with cowls or their equivalent for the purpose of properly and efficiently ventilating the bilges of every engine and fuel tank compartment of boats constructed or decked over after April 25, 1940, using gasoline as fuel and other fuels having a flashpoint of 110°F, or less. There shall be at least one exhaust duct installed so as to extend to the lower portion of the bilge and at least one intake duct installed so as to extend to a point midway to the bilge or at least below the level of the carburetor air intake.			
SOUND PRODUCING DEVICE	None	One hand, mouth or power operated whistle audible at least one half mile.	One efficient bell One hand or power operated whistle audible at least one mile.	One efficient bell One power operated whistle audible at least one mile.
PERSONAL FLOTATION DEVICE	All recreational boats less than 16' in length and all canoes and kayaks must have one Type I, II, III, or IV device aboard for each person. (A waterskier is considered "on board")			
		All recreational boats 16' length and greater must have one Type I, II, or III device aboard for each person and, in addition, one throwable Type IV device.		
FIRE EXTINGUISHER PORTABLE	One B-I Type approved hand portable extinguisher; outboard motorboats of open construction not carrying passengers for hire are not required to carry an extinguisher.		Two B-I or one B-II type hand portable fire extinguishers	Three B-I or one B-I and one B-II type hand portable fire extinguishers
	When fixed fire extinguishing system is installed in machinery spaces, one less B-I type extinguisher is required.			
	B-I Type approved Hand Portable Fire Extinguishers contain: Foam - 1¼ to 2½ gallons; or Carbon Dioxide - 4 to 15 pounds; a Dry Chemical 2 to 10 pounds Halon 2½ pounds			
	B-II Type approved Hand Portable Fire Extinguishers contain: Foam - 2½ gallons; a Carbon Dioxide - 15 pounds; or Dry Chemical 10 to 20 pounds.			
LIGHTS	Requirements as stated in applicable Rules of the Road apply when operating at night			
POLLUTION	Must have a fixed or portable means to discharge oily bilge slops to a reception facility.			
	Draining of the sumps of oil lubricated machinery or the contents of oil filters, strainers, or purifiers into the bilge is prohibited.			
			Oil discharge placard must be fixed in a conspicuous place in the machinery spaces, or at the bilge and ballast pump control station.	
MARINE SANITATION DEVICE	All boats constructed on or after 30 January 1975 which have installed toilet facilities must be equipped with a Coast Guard certified Type I, II or III MSD (effective 30 January 1977).			
	All boats constructed prior to 30 January 1975 which have installed toilet facilities must be equipped with a Type I, II or III MSD by 30 January 1980.			

NOTE: Equipment requirements for motor vessels greater than 65 feet in length are found in 46 CFR 24-28.
MSD requirements for motor vessels greater than 65 feet in length are found in 33 CFR 159.

Figure 12–2

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12.G.(Continued)

COMMON BOATING LAW VIOLATIONS WITH APPLICABLE REGULATORY OR STATUTORY CITATION

NUMBERING (33 CFR 173)

173.15	Vessel number required
173.19	Other numbers prohibited
173.21	Certificate of number required
173.23	Inspection of certificate
173.25	Location of certificate of number
173.27	Numbers: display; size, color
173.33	Removal of number
173.35	Coast Guard validation sticker

PERSONAL FLOTATION DEVICE (33 CFR 175/46 CFR 25.25)

175.15/25.22-5	Personal flotation devices required; size
175.19/25.25-9	Stowage
175.21/25.25-5	CG Approved
175.21/25.25-7	Marking
175.21/25.25-11	Condition

LIGHTS/SOUND PRODUCING DEVICES (46 CFR 25.05)

25.05- 1	Lights required (international)
25.05-10	Lights required (inland, Great Lakes, Western Rivers)
25.05-15	Light intensity standards

FIRE EXTINGUISHERS (46 CFR 25.30)

25.30- 5	Coast Guard approved device required
25.30-15	Fixed fire extinguishing system
25.30-20	Fire extinguishing equipment required

POLLUTION (33 CFR 155)

155.360	Bilge slops on vessel less than 100 gross tons
155.440	Oil discharge placard
155.770	Machinery oil drains

MARINE SANITATION DEVICES (33 CFR 159)

159.7 (a)(b)	New vessel requirements
159.7 (c)	Existing vessel requirements

BOARDING AUTHORITY

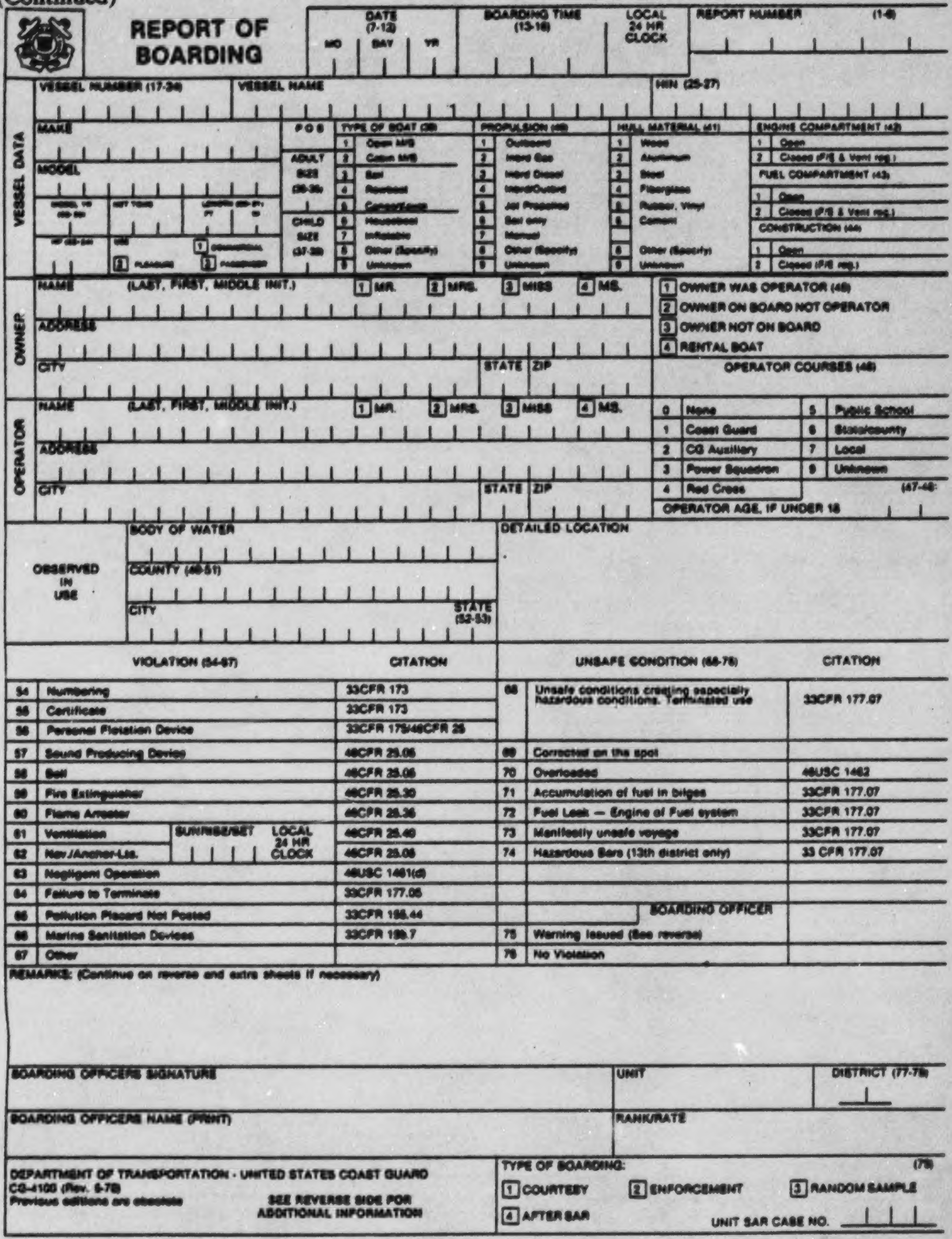
14 USC 89	Authority to board
18 USC 111	Penalty for forcibly resisting a boarding

DOCUMENTED YACHTS

46 USC 45	Official number
46 USC 46 & 46 USC 103	Name, hailing port
46 CFR 67.01-13	Documentation required (commercial)
46 USC 267	Failure to renew license
46 USC 941	Failure to exhibit document

Figure 12–3 239

12.G.(Continued)



REPORT OF BOARDING

DATE (7-12) MO | DAY | YR

BOARDING TIME (13-16) LOCAL 24 HR CLOCK

REPORT NUMBER (1-6)

VESSEL DATA

VESSEL NUMBER (17-24)

VESSEL NAME

HIN (25-27)

MAKE

MODEL

MODEL YR [illegible] NET TONS LENGTH [illegible] FT IN

HP [illegible] USE ☐ 1 COMMERCIAL ☐ 2 PLEASURE ☐ 3 PASSENGER

P O B	TYPE OF BOAT (38)	PROPULSION (40)	HULL MATERIAL (41)
ADULT SIZE (35-36)	1 Open M/B	1 Outboard	1 Wood
	2 Cabin M/B	2 Inbrd Gas	2 Aluminum
	3 Sail	3 Inbrd Diesel	3 Steel
	4 Rowboat	4 Inbrd/Outbrd	4 Fiberglass
	5 Canoe/Kayak	5 Jet Propelled	5 Rubber, Vinyl
CHILD SIZE (37-38)	6 Houseboat	6 Sail only	6 Cement
	7 Inflatable	7 Manual	
	8 Other (Specify)	8 Other (Specify)	8 Other (Specify)
	9 Unknown	9 Unknown	9 Unknown

ENGINE COMPARTMENT (42)
1 Open
2 Closed (F/S & Vent req.)

FUEL COMPARTMENT (43)
1 Open
2 Closed (F/S & Vent req.)

CONSTRUCTION (44)
1 Open
2 Closed (F/S req.)

OWNER

NAME (LAST, FIRST, MIDDLE INIT.) ☐ 1 MR. ☐ 2 MRS. ☐ 3 MISS ☐ 4 MS.

ADDRESS

CITY STATE ZIP

☐ 1 OWNER WAS OPERATOR (45)
☐ 2 OWNER ON BOARD NOT OPERATOR
☐ 3 OWNER NOT ON BOARD
☐ 4 RENTAL BOAT

OPERATOR

NAME (LAST, FIRST, MIDDLE INIT.) ☐ 1 MR. ☐ 2 MRS. ☐ 3 MISS ☐ 4 MS.

ADDRESS

CITY STATE ZIP

OPERATOR COURSES (46)

0	None	5	Public School
1	Coast Guard	6	State/county
2	CG Auxiliary	7	Local
3	Power Squadron	9	Unknown
4	Red Cross		

OPERATOR AGE, IF UNDER 18 (47-48)

OBSERVED IN USE

BODY OF WATER

COUNTY (49-51)

CITY STATE (52-53)

DETAILED LOCATION

	VIOLATION (54-67)	CITATION		UNSAFE CONDITION (68-76)	CITATION
54	Numbering	33CFR 173	68	Unsafe conditions creating especially hazardous conditions. Terminated use	33CFR 177.07
55	Certificate	33CFR 173			
56	Personal Flotation Device	33CFR 175/46CFR 25			
57	Sound Producing Device	46CFR 25.05	69	Corrected on the spot	
58	Bell	46CFR 25.05	70	Overloaded	46USC 1462
59	Fire Extinguisher	46CFR 25.30	71	Accumulation of fuel in bilges	33CFR 177.07
60	Flame Arrester	46CFR 25.35	72	Fuel Leak — Engine of Fuel system	33CFR 177.07
61	Ventilation SUNRISE/SET LOCAL 24 HR CLOCK	46CFR 25.40	73	Manifestly unsafe voyage	33CFR 177.07
62	Nav/Anchor-Lts.	46CFR 25.05	74	Hazardous Bars (13th district only)	33 CFR 177.07
63	Negligent Operation	46USC 1461(d)			
64	Failure to Terminate	33CFR 177.05			
65	Pollution Placard Not Posted	33CFR 155.44		BOARDING OFFICER	
66	Marine Sanitation Devices	33CFR 159.7	75	Warning Issued (See reverse)	
67	Other		76	No Violation	

REMARKS: (Continue on reverse and extra sheets if necessary)

BOARDING OFFICERS SIGNATURE | UNIT | DISTRICT (77-78)

BOARDING OFFICERS NAME (PRINT) | RANK/RATE

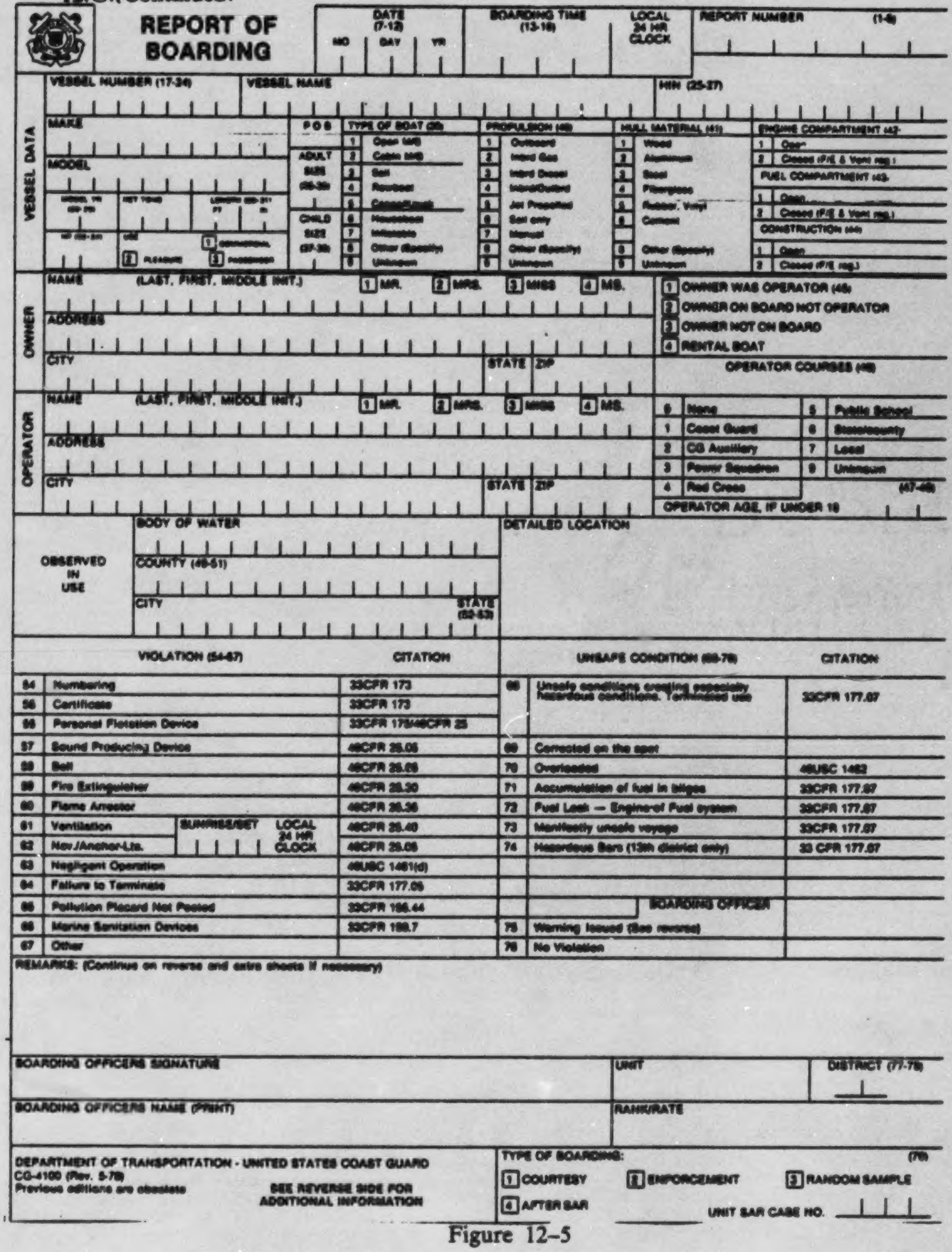
DEPARTMENT OF TRANSPORTATION - UNITED STATES COAST GUARD
CG-4100 (Rev. 5-78)
Previous editions are obsolete

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

TYPE OF BOARDING: (79)
☐ 1 COURTESY ☐ 2 ENFORCEMENT ☐ 3 RANDOM SAMPLE
☐ 4 AFTER SAR UNIT SAR CASE NO.

Figure 12–4

12.G.(Continued)



REPORT OF BOARDING

DATE (7-12) MO | DAY | YR

BOARDING TIME (13-16) LOCAL 24 HR CLOCK

REPORT NUMBER (1-6)

VESSEL DATA

VESSEL NUMBER (17-24)

VESSEL NAME

HIN (25-27)

MAKE

MODEL

MODEL YR [illegible] | NET TONS | LENGTH [illegible] FT IN

HP [illegible] | USE ☐1 COMMERCIAL ☐2 PLEASURE ☐3 PASSENGER

POB ADULT SIZE (35-36) CHILD SIZE (37-38)

TYPE OF BOAT (39)
- 1 Open (MB)
- 2 Cabin (MB)
- 3 Sail
- 4 Rowboat
- 5 Canoe/Kayak
- 6 Houseboat
- 7 Inflatable
- 8 Other (Specify)
- 9 Unknown

PROPULSION (40)
- 1 Outboard
- 2 Inbrd Gas
- 3 Inbrd Diesel
- 4 Inbrd/Outbrd
- 5 Jet Propelled
- 6 Sail only
- 7 Manual
- 8 Other (Specify)
- 9 Unknown

HULL MATERIAL (41)
- 1 Wood
- 2 Aluminum
- 3 Steel
- 4 Fiberglass
- 5 Rubber, Vinyl
- 6 Cement
- 8 Other (Specify)
- 9 Unknown

ENGINE COMPARTMENT (42)
- 1 Open
- 2 Closed (F/E & Vent req.)

FUEL COMPARTMENT (43)
- 1 Open
- 2 Closed (F/E & Vent req.)

CONSTRUCTION (44)
- 1 Open
- 2 Closed (F/E req.)

OWNER

NAME (LAST, FIRST, MIDDLE INIT.) ☐1 MR. ☐2 MRS. ☐3 MISS ☐4 MS.

ADDRESS

CITY STATE ZIP

☐1 OWNER WAS OPERATOR (45)
☐2 OWNER ON BOARD NOT OPERATOR
☐3 OWNER NOT ON BOARD
☐4 RENTAL BOAT

OPERATOR

NAME (LAST, FIRST, MIDDLE INIT.) ☐1 MR. ☐2 MRS. ☐3 MISS ☐4 MS.

ADDRESS

CITY STATE ZIP

OPERATOR COURSES (46)

0	None	5	Public School
1	Coast Guard	6	State/county
2	CG Auxiliary	7	Local
3	Power Squadron	9	Unknown
4	Red Cross		

OPERATOR AGE, IF UNDER 18 (47-48)

OBSERVED IN USE

BODY OF WATER

COUNTY (49-51)

CITY STATE (52-53)

DETAILED LOCATION

	VIOLATION (54-67)	CITATION		UNSAFE CONDITION (68-76)	CITATION
54	Numbering	33CFR 173	68	Unsafe conditions creating especially hazardous conditions. Terminated use	33CFR 177.07
55	Certificate	33CFR 173			
56	Personal Flotation Device	33CFR 175/46CFR 25			
57	Sound Producing Device	46CFR 25.05	69	Corrected on the spot	
58	Bell	46CFR 25.05	70	Overloaded	46USC 1462
59	Fire Extinguisher	46CFR 25.30	71	Accumulation of fuel in bilges	33CFR 177.07
60	Flame Arrestor	46CFR 25.35	72	Fuel Leak — Engine-of Fuel system	33CFR 177.07
61	Ventilation — SUNRISE/SET LOCAL 24 HR CLOCK	46CFR 25.40	73	Manifestly unsafe voyage	33CFR 177.07
62	Nav./Anchor-Lts.	46CFR 25.05	74	Hazardous Bars (13th district only)	33 CFR 177.07
63	Negligent Operation	46USC 1461(d)			
64	Failure to Terminate	33CFR 177.05			
65	Pollution Placard Not Posted	33CFR 155.44		BOARDING OFFICER	
66	Marine Sanitation Devices	33CFR 159.7	75	Warning Issued (See reverse)	
67	Other		76	No Violation	

REMARKS: (Continue on reverse and extra sheets if necessary)

BOARDING OFFICERS SIGNATURE | UNIT | DISTRICT (77-78)

BOARDING OFFICERS NAME (PRINT) | RANK/RATE

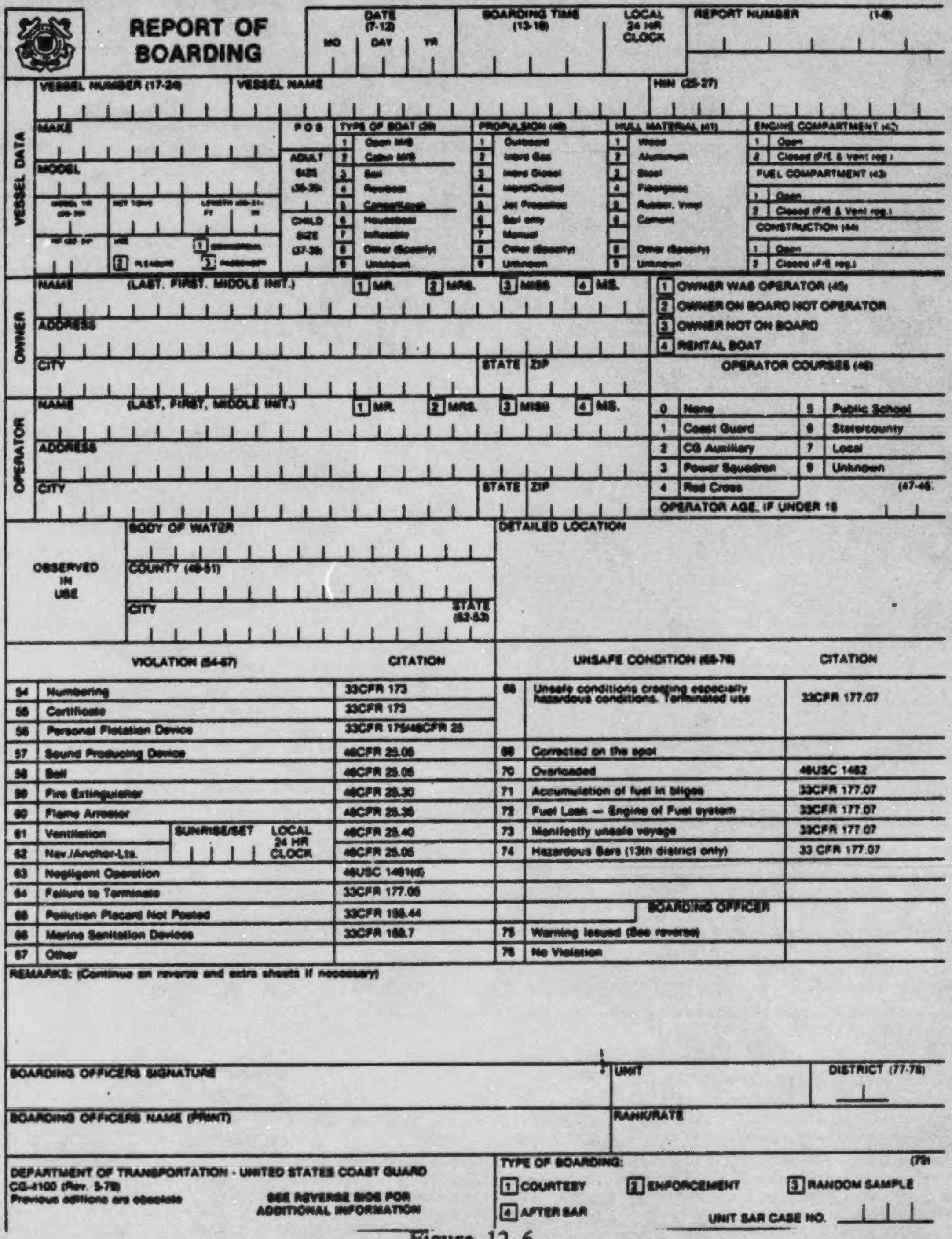
DEPARTMENT OF TRANSPORTATION - UNITED STATES COAST GUARD
CG-4100 (Rev. 5-78)
Previous editions are obsolete

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

TYPE OF BOARDING: (79)
☐1 COURTESY ☐2 ENFORCEMENT ☐3 RANDOM SAMPLE
☐4 AFTER SAR UNIT SAR CASE NO.

Figure 12-5

12.G.(Continued)



REPORT OF BOARDING

DATE (7-12) MO | DAY | YR

BOARDING TIME (13-16) LOCAL 24 HR CLOCK

REPORT NUMBER (1-6)

VESSEL DATA

VESSEL NUMBER (17-24)

VESSEL NAME

HIN (25-27)

MAKE

MODEL

MODEL YR (28-29) | NET TONS | LENGTH (30-31) FT IN

HP (32-34) | USE ☐1 COMMERCIAL ☐2 PLEASURE ☐3 PASSENGER

P O S	TYPE OF BOAT (39)	PROPULSION (40)	HULL MATERIAL (41)	ENGINE COMPARTMENT (42)
ADULT SIZE (35-36)	1 Open M/B	1 Outboard	1 Wood	1 Open
	2 Cabin M/B	2 Inbrd Gas	2 Aluminum	2 Closed (F/E & Vent req.)
	3 Sail	3 Inbrd Diesel	3 Steel	FUEL COMPARTMENT (43)
	4 Rowboat	4 Inbrd/Outbrd	4 Fiberglass	1 Open
	5 Canoe/Kayak	5 Jet Propelled	5 Rubber, Vinyl	2 Closed (F/E & Vent req.)
CHILD SIZE (37-38)	6 Houseboat	6 Sail only	6 Cement	CONSTRUCTION (44)
	7 Inflatable	7 Manual		1 Open
	8 Other (Specify)	8 Other (Specify)	8 Other (Specify)	2 Closed (F/E req.)
	9 Unknown	9 Unknown	9 Unknown	

OWNER

NAME (LAST, FIRST, MIDDLE INIT.) ☐1 MR. ☐2 MRS. ☐3 MISS ☐4 MS.

ADDRESS

CITY | STATE | ZIP

☐1 OWNER WAS OPERATOR (45)
☐2 OWNER ON BOARD NOT OPERATOR
☐3 OWNER NOT ON BOARD
☐4 RENTAL BOAT

OPERATOR

NAME (LAST, FIRST, MIDDLE INIT.) ☐1 MR. ☐2 MRS. ☐3 MISS ☐4 MS.

ADDRESS

CITY | STATE | ZIP

OPERATOR COURSES (46)

0	None	5	Public School
1	Coast Guard	6	State/county
2	CG Auxiliary	7	Local
3	Power Squadron	9	Unknown
4	Red Cross		

OPERATOR AGE, IF UNDER 18 (47-48)

OBSERVED IN USE

BODY OF WATER

COUNTY (49-51)

CITY | STATE (52-53)

DETAILED LOCATION

	VIOLATION (54-67)	CITATION		UNSAFE CONDITION (68-76)	CITATION
54	Numbering	33CFR 173	68	Unsafe conditions creating especially hazardous conditions. Terminated use	33CFR 177.07
55	Certificate	33CFR 173			
56	Personal Flotation Device	33CFR 175/46CFR 25			
57	Sound Producing Device	46CFR 25.05	69	Corrected on the spot	
58	Bell	46CFR 25.05	70	Overloaded	46USC 1462
59	Fire Extinguisher	46CFR 25.30	71	Accumulation of fuel in bilges	33CFR 177.07
60	Flame Arrestor	46CFR 25.35	72	Fuel Leak — Engine of Fuel system	33CFR 177.07
61	Ventilation — SUNRISE/SET LOCAL 24 HR CLOCK	46CFR 25.40	73	Manifestly unsafe voyage	33CFR 177.07
62	Nav./Anchor-Lts.	46CFR 25.05	74	Hazardous Bars (13th district only)	33 CFR 177.07
63	Negligent Operation	46USC 1461(d)			
64	Failure to Terminate	33CFR 177.06			
65	Pollution Placard Not Posted	33CFR 155.44		BOARDING OFFICER	
66	Marine Sanitation Devices	33CFR 159.7	75	Warning issued (See reverse)	
67	Other		76	No Violation	

REMARKS: (Continue on reverse and extra sheets if necessary)

BOARDING OFFICERS SIGNATURE | UNIT | DISTRICT (77-78)

BOARDING OFFICERS NAME (PRINT) | RANK/RATE

DEPARTMENT OF TRANSPORTATION - UNITED STATES COAST GUARD
CG-4100 (Rev. 5-78)
Previous editions are obsolete

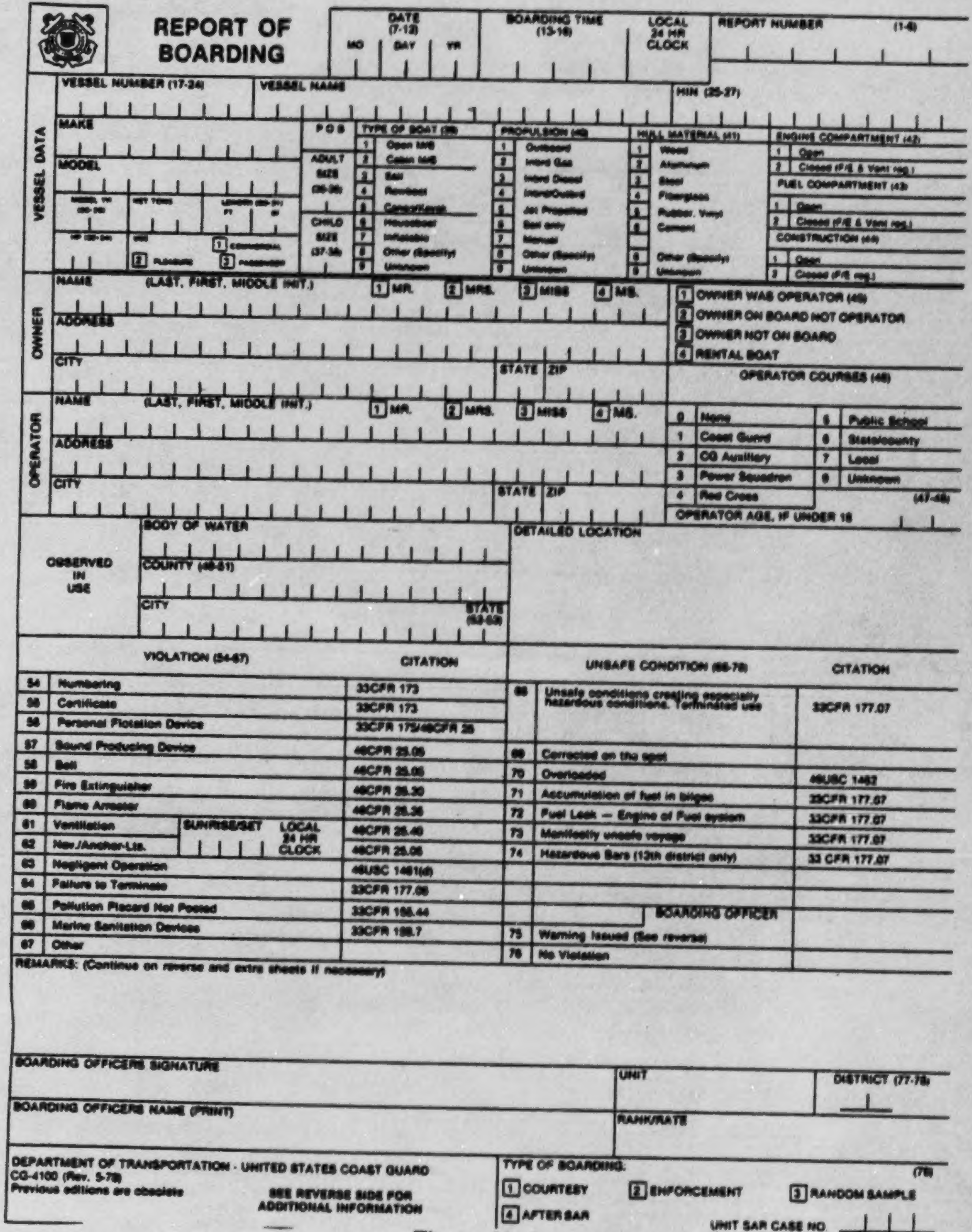
SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

TYPE OF BOARDING: (79)
☐1 COURTESY ☐2 ENFORCEMENT ☐3 RANDOM SAMPLE
☐4 AFTER SAR

UNIT SAR CASE NO.

Figure 12–6

12.G.(Continued)



REPORT OF BOARDING

DATE (7-12) MO | DAY | YR

BOARDING TIME (13-16)

LOCAL 24 HR CLOCK

REPORT NUMBER (1-4)

VESSEL DATA

VESSEL NUMBER (17-24)

VESSEL NAME

HIN (25-27)

MAKE

MODEL

MODEL YR (29-30)

NET TONS

LENGTH (31-32) FT | IN

HP (33-34)

USE ☐1 COMMERCIAL ☐2 PLEASURE ☐3 PASSENGER

POB

ADULT SIZE (35-36)

CHILD SIZE (37-38)

TYPE OF BOAT (39)		PROPULSION (40)		HULL MATERIAL (41)	
1	Open M/B	1	Outboard	1	Wood
2	Cabin M/B	2	Inbord Gas	2	Aluminum
3	Sail	3	Inbord Diesel	3	Steel
4	Rowboat	4	Inbord/Outbord	4	Fiberglass
5	Canoe/Kayak	5	Jet Propelled	5	Rubber, Vinyl
6	Houseboat	6	Sail only	6	Cement
7	Inflatable	7	Manual		
8	Other (Specify)	8	Other (Specify)	8	Other (Specify)
9	Unknown	9	Unknown	9	Unknown

ENGINE COMPARTMENT (42)
- 1 Open
- 2 Closed (F/E & Vent req.)

FUEL COMPARTMENT (43)
- 1 Open
- 2 Closed (F/E & Vent req.)

CONSTRUCTION (44)
- 1 Open
- 2 Closed (F/E req.)

OWNER

NAME (LAST, FIRST, MIDDLE INIT.) ☐1 MR. ☐2 MRS. ☐3 MISS ☐4 MS.

ADDRESS

CITY

STATE

ZIP

☐1 OWNER WAS OPERATOR (45)
☐2 OWNER ON BOARD NOT OPERATOR
☐3 OWNER NOT ON BOARD
☐4 RENTAL BOAT

OPERATOR

NAME (LAST, FIRST, MIDDLE INIT.) ☐1 MR. ☐2 MRS. ☐3 MISS ☐4 MS.

ADDRESS

CITY

STATE

ZIP

OPERATOR COURSES (46)

0	None	5	Public School
1	Coast Guard	6	State/county
2	CG Auxiliary	7	Local
3	Power Squadron	8	Unknown
4	Red Cross		

(47-48)

OPERATOR AGE, IF UNDER 18

OBSERVED IN USE

BODY OF WATER

COUNTY (49-51)

CITY

STATE (52-53)

DETAILED LOCATION

	VIOLATION (54-67)	CITATION
54	Numbering	33CFR 173
55	Certificate	33CFR 173
56	Personal Flotation Device	33CFR 175/46CFR 25
57	Sound Producing Device	46CFR 25.05
58	Bell	46CFR 25.05
59	Fire Extinguisher	46CFR 25.30
60	Flame Arrester	46CFR 25.35
61	Ventilation	46CFR 25.40
62	Nav./Anchor-Lts.	46CFR 25.05
63	Negligent Operation	46USC 1461(d)
64	Failure to Terminate	33CFR 177.05
65	Pollution Placard Not Posted	33CFR 155.44
66	Marine Sanitation Devices	33CFR 159.7
67	Other	

SUNRISE/SET LOCAL 24 HR CLOCK

	UNSAFE CONDITION (68-76)	CITATION
68	Unsafe conditions creating especially hazardous conditions. Terminated use	33CFR 177.07
69	Corrected on the spot	
70	Overloaded	46USC 1462
71	Accumulation of fuel in bilges	33CFR 177.07
72	Fuel Leak — Engine of Fuel system	33CFR 177.07
73	Manifestly unsafe voyage	33CFR 177.07
74	Hazardous Bars (13th district only)	33 CFR 177.07
	BOARDING OFFICER	
75	Warning Issued (See reverse)	
76	No Violation	

REMARKS: (Continue on reverse and extra sheets if necessary)

BOARDING OFFICERS SIGNATURE

UNIT

DISTRICT (77-78)

BOARDING OFFICERS NAME (PRINT)

RANK/RATE

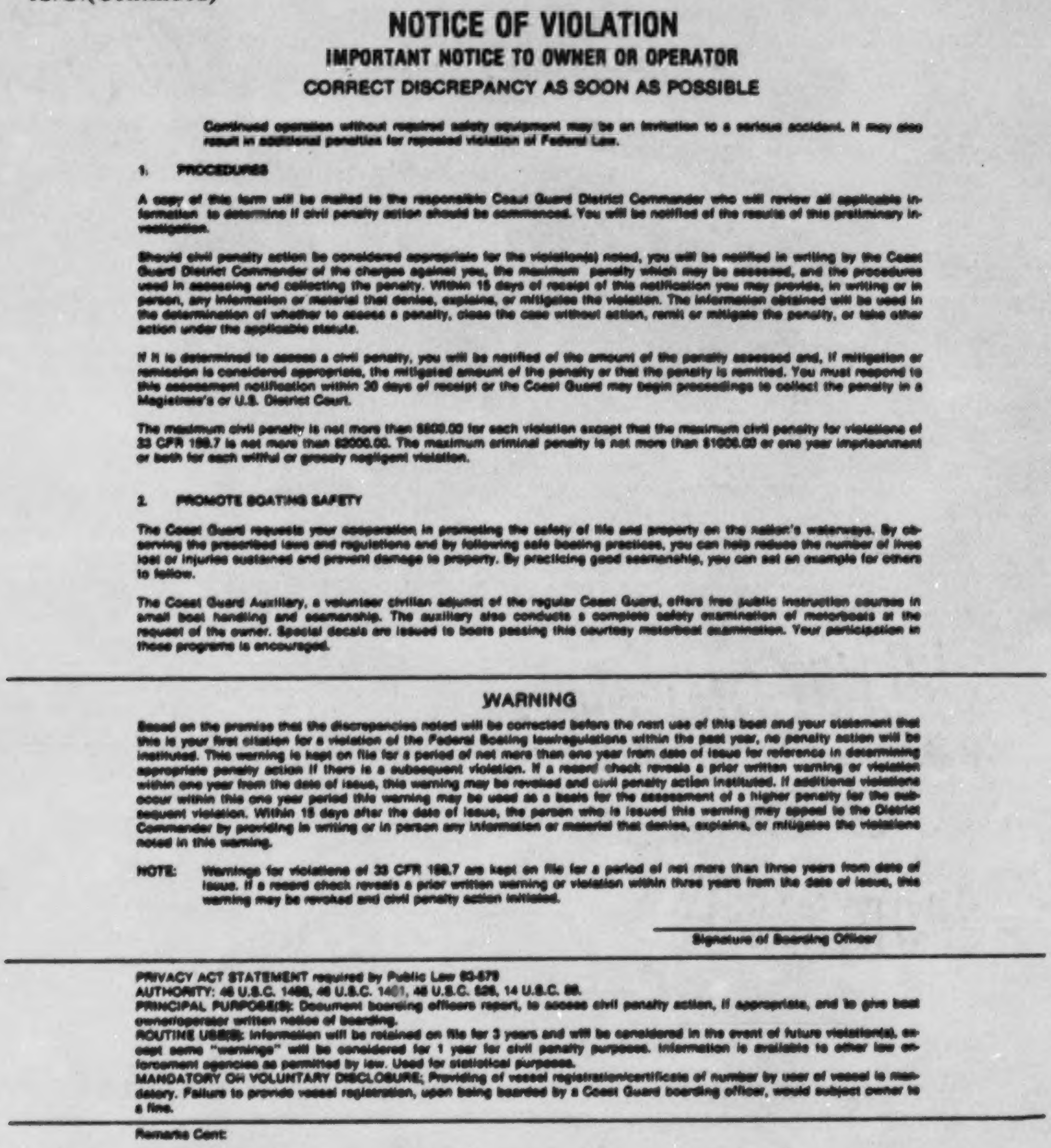
DEPARTMENT OF TRANSPORTATION - UNITED STATES COAST GUARD
CG-4100 (Rev. 5-78)
Previous editions are obsolete

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

TYPE OF BOARDING: (79)
☐1 COURTESY ☐2 ENFORCEMENT ☐3 RANDOM SAMPLE
☐4 AFTER SAR

UNIT SAR CASE NO.

Figure 12–7



NOTICE OF VIOLATION

IMPORTANT NOTICE TO OWNER OR OPERATOR

CORRECT DISCREPANCY AS SOON AS POSSIBLE

Continued operation without required safety equipment may be an invitation to a serious accident. It may also result in additional penalties for repeated violation of Federal Law.

1. PROCEDURES

A copy of this form will be mailed to the responsible Coast Guard District Commander who will review all applicable information to determine if civil penalty action should be commenced. You will be notified of the results of this preliminary investigation.

Should civil penalty action be considered appropriate for the violation(s) noted, you will be notified in writing by the Coast Guard District Commander of the charges against you, the maximum penalty which may be assessed, and the procedures used in assessing and collecting the penalty. Within 15 days of receipt of this notification you may provide, in writing or in person, any information or material that denies, explains, or mitigates the violation. The information obtained will be used in the determination of whether to assess a penalty, close the case without action, remit or mitigate the penalty, or take other action under the applicable statute.

If it is determined to assess a civil penalty, you will be notified of the amount of the penalty assessed and, if mitigation or remission is considered appropriate, the mitigated amount of the penalty or that the penalty is remitted. You must respond to this assessment notification within 30 days of receipt or the Coast Guard may begin proceedings to collect the penalty in a Magistrate's or U.S. District Court.

The maximum civil penalty is not more than $500.00 for each violation except that the maximum civil penalty for violations of 33 CFR 159.7 is not more than $2000.00. The maximum criminal penalty is not more than $1000.00 or one year imprisonment or both for each willful or grossly negligent violation.

2. PROMOTE BOATING SAFETY

The Coast Guard requests your cooperation in promoting the safety of life and property on the nation's waterways. By observing the prescribed laws and regulations and by following safe boating practices, you can help reduce the number of lives lost or injuries sustained and prevent damage to property. By practicing good seamanship, you can set an example for others to follow.

The Coast Guard Auxiliary, a volunteer civilian adjunct of the regular Coast Guard, offers free public instruction courses in small boat handling and seamanship. The auxiliary also conducts a complete safety examination of motorboats at the request of the owner. Special decals are issued to boats passing this courtesy motorboat examination. Your participation in those programs is encouraged.

WARNING

Based on the premise that the discrepancies noted will be corrected before the next use of this boat and your statement that this is your first citation for a violation of the Federal Boating law/regulations within the past year, no penalty action will be instituted. This warning is kept on file for a period of not more than one year from date of issue for reference in determining appropriate penalty action if there is a subsequent violation. If a record check reveals a prior written warning or violation within one year from the date of issue, this warning may be revoked and civil penalty action instituted. If additional violations occur within this one year period this warning may be used as a basis for the assessment of a higher penalty for the subsequent violation. Within 15 days after the date of issue, the person who is issued this warning may appeal to the District Commander by providing in writing or in person any information or material that denies, explains, or mitigates the violations noted in this warning.

NOTE: Warnings for violations of 33 CFR 159.7 are kept on file for a period of not more than three years from date of issue. If a record check reveals a prior written warning or violation within three years from the date of issue, this warning may be revoked and civil penalty action initiated.

Signature of Boarding Officer

PRIVACY ACT STATEMENT required by Public Law 93-579
AUTHORITY: 46 U.S.C. 1488, 46 U.S.C. 1461, 46 U.S.C. 526, 14 U.S.C. 89.
PRINCIPAL PURPOSE(S): Document boarding officers report, to access civil penalty action, if appropriate, and to give boat owner/operator written notice of boarding.
ROUTINE USE(S): Information will be retained on file for 3 years and will be considered in the event of future violation(s), except some "warnings" will be considered for 1 year for civil penalty purposes. Information is available to other law enforcement agencies as permitted by law. Used for statistical purposes.
MANDATORY OR VOLUNTARY DISCLOSURE; Providing of vessel registration/certificate of number by user of vessel is mandatory. Failure to provide vessel registration, upon being boarded by a Coast Guard boarding officer, would subject owner to a fine.

Remarks Cont:

Figure 12–8

CHAPTER 13: ARREST

A. INTRODUCTION

1. In Chapter 2 you studied the three elements of jurisdiction and were able to determine when you have the jurisdiction to enforce law. You are now ready to learn about another function of law enforcement–arrest.

2. Arrest is the taking into official custody of the person accused of a criminal complaint before a court or in response to a subpoena. Under law, an accused person is innocent until he has been found guilty by a judge or jury. Likewise, an accused is generally entitled to be released on bail until the trial. **Therefore, arrest is not considered punishment.** The condition of arrest must not be any more oppressive than necessary to keep the arrested person in custody.

3. The word arrest, as used in this section and generally in Federal law enforcement, is different from the term **arrest** as used in the **Manual for Courts-Martial, United States, 1969 (Revised)** (MCM). In the MCM the term **arrest** means the restraint of a person by an order, not imposed as punishment for an offense, directing him to remain with certain specified limits; however, in this course arrest applies to actual **physical custody**.

4. **The power of arrest must be exercised with extreme caution**; it is used when arrest is the only feasible way to protect society, to prevent destruction of property and injury to persons, or to restrain criminals and secure their attendance at trial. The Federal Government cannot be held liable for the illegal acts of its agents or acts outside the scope of the agents' authority.

5. In other words, **responsibility for an illegal or false arrest** rests with you. This makes you subject to suits for damages for false arrest, as well as to prosecution by the Government for abuse of your authority. The improper exercise of discretion, when authority for arrest exists, **generally does not subject you to civil suits.** However, **the arrest of a person when the authority to arrest does not exist is illegal,** although the conviction of the person arrested may serve to protect you in a later suit for false arrest.

QUESTION: If you make a false arrest of a person who is subsequently convicted for the offense, can you be held accountable for the false arrest?

13.A.5.(Continued)

ANSWER: If it can be shown that you acted without any reasonable basis and out of spite or other malicious reasons, you can be held accountable for the false arrest.

B. CRIMINAL OFFENSES

1. Under Federal law, criminal offenses are classified as follows:

a. FELONY

(1) Any criminal offense punishable by death or imprisonment for a term exceeding one year is a felony. An example of a felony is a forcible assault upon a boarding officer in the pursuit of his duties.

b. MISDEMEANOR

(1) Any offense other than a felony is a **misdemeanor**. Grossly negligent operation of a vessel is an example of a misdemeanor.

c. PETTY OFFENSE

(1) Any misdemeanor, the penalty for which does not exceed imprisonment for a period of six months or a fine of not more than $500, or both, is a **petty offense**. Simple assault upon a private citizen is a petty offense. A trial for such an offense may be held before a U.S. magistrate without a jury if the defendant so desires.

(2) The important thing for you to remember is that the difference between felonies and misdemeanors, in many cases, determines the right to arrest and affects the procedures for you to follow if an accused person attempts to resist arrest.

(3) The only way you can determine whether an offense is a felony or a misdemeanor is by studying the statute or regulation involved. If the statute is not available when the offense is committed, **a good rule is that if an act is one which injures or could injure another person or one which is a crime of violence or destroys property, then it is a felony. If an act is not**

a felony but is close enough to a felony that it would be classed as a "breach of the peace," you can treat it as a felony for the purpose of arresting a suspect. An example would be assault by beating (assault and battery) in the special territorial and maritime jurisdiction.

C. CIVIL OFFENSE

1. Where the statute involved does not declare imprisonment and does not specifically direct arrest or does not specifically indicate that the violation is a crime, then it is classed as a **civil penalty offense, for which no arrest can be made**. Examples of civil penalty offenses include failing to have a certificate of number on a vessel required to be numbered, or carrying passengers for hire without a licensed operator aboard.

2. Civil penalty offenses are generally handled by a Coast Guard hearing officer who determines the amount of the penalty. If the accused does not pay, the penalty must be sued for in a lawsuit brought by a U.S. attorney in a Federal district court. Many of the Coast Guard enforced statutes, particularly those dealing with the motorboat laws, specify that the district commander or Commandant shall determine the amount of the penalty. Such offenses are handled by a hearing officer also.

3. **It is important to recognize that civil offenses are not considered crimes.** You may not arrest a person for a civil offense. However, arrest may become authorized if a crime has also been committed, for example, the offender assaults or forcibly obstructs you while you are carrying out your duties in conjunction with the civil offense.

D. AUTHORITY FOR ARREST

1. General authority for Coast Guard officers and petty officers to arrest is found in 14 USC 89, which in part reads as follows: "When from such inquiries, examination, inspection, or search it appears that a breach of the laws of the United States rendering a person liable to arrest is being, or has been committed, by any person, such person shall be arrested or if escaping to shore, shall be immediately pursued and arrested on shore, or other lawful and appropriate action shall be taken...."

2. From this quote, you can deduce that the only persons you have the jurisdiction to arrest are persons who break laws of the United States

which render persons liable to arrest. If you read together the phrases "shall be arrested" and, "or other lawful and appropriate action shall be taken," you can easily infer that the alternative to making an arrest is taking other lawful and appropriate action. In most violations of motorboat laws, "other lawful and appropriate action" means filing a letter report or a Report of Violation (CG-4100). Whether you should arrest a person or take other lawful and appropriate action depends on the gravity of the case and the circumstances surrounding it.

E. ARREST OFFENSES

1. There are many statutes which authorize arrest for a violation of their terms, and among those with which you will be most frequently concerned are the following:

   a. Negligent operation of a motorboat or vessel (46 USC 1461D).

   b. Deposit of refuse in navigable waters of the United States (33 USC 413).

   c. Violation of customs laws (19 USC 1581).

2. There are many other laws which authorize you to make an arrest, especially in offenses on the **navigable waters** of the United States. Therefore, it is important for you to know **in every case** whether you may arrest the suspect and if so, whether arrest is necessary under the circumstances to prosecute the suspect.

F. ARREST WITH OR WITHOUT A WARRANT

1. As you have just learned, you are responsible for determining whether you may make an arrest. Another determination for which you are responsible is whether to make an arrest **with a warrant** or **without a warrant**. Thus, you will now learn what a warrant is, how to seek a warrant for a suspect's arrest, when to make an arrest with a warrant, and when to make an arrest without a warrant.

2. An arrest warrant is a legal document issued by a Federal judge or magistrate which commands a law enforcement official to take into custody the person named in the warrant. In order for the warrant to be issued, probable cause must be shown to the United States judge, magistrate, or justice of the peace who is asked to issue it. Probable cause is shown by the complaint, affidavit, or sworn statement given to the judicial officer which alleges the facts necessary to convince him

that an offense may have been committed and that the person named has committed it. It is not necessary to convince the judicial officer with proof beyond a reasonable doubt. The judicial officer must be convinced only that the facts and circumstances as presented to him would lead a reasonably prudent person to believe that the suspected person probably committed the offense charged.

3. When it is necessary for you to seek a warrant, report the facts to a United States attorney having jurisdiction over the area. He will assist you in preparing the affidavit and in appearing before the United States magistrate to obtain the warrant. Normally, you will not serve the warrant; instead, personnel of the office of the United States marshal having jurisdiction in the area concerned will serve the warrant. Whenever a Federal judge or magistrate does ask you to serve a warrant, you are given the right to make the arrest of the lawbreaker.

4. When you must determine whether or not to seek a warrant, follow the guidelines given below:

    a. Generally, it is desirable to seek a **warrant** to effect an arrest **unless** the seriousness of the offense, the possibility of repetition, or the likelihood of flight to avoid prosecution is great. Some serious cases such as assault with a dangerous weapon or forcible obstruction of a Federal official often require prompt action, and arrest **without** a warrant may become necessary.

    b. If a crime is a **misdemeanor**, you may make an arrest **without a warrant** only if you have personally witnessed the offense.

    c. If the crime is a **felony**, you may make an arrest **without a warrant** if you either: (a) have witnessed the crime or (b) have probable cause to believe that a felony has been committed and that it was committed by the person you are seeking. Under this last situation, you may proceed **only** if there is a reasonable basis for your belief--**not a simple suspicion**.

5. It is far better in every case where justice and protection of society will not suffer, to **obtain an arrest warrant for every offense**, whether felony or misdemeanor, because then you need not concern yourself with the sometimes very close determinations about the magnitude of the offense and about the propriety of arresting without a warrant.

G. ELEMENTS OF ARREST

1. There are three indispensable elements of a valid arrest: **authority, intent,** and **compliance** by the accused. Each is an independent item, but without one of the items, an arrest is either illegal or cannot be consummated.

a. AUTHORITY

(1) As you will recall, you have the authority to arrest persons who break laws of the United States which render persons liable to arrest. When determining whether the circumstances of a particular case guarantee you the authority to make an arrest, carefully consider the following four factors:

(a) **Has a Federal law been violated?** Have all conditions necessary for a crime to have been committed been fulfilled? Remember that under Federal law, an attempt to commit a crime is itself a crime. Also remember that an act which constitutes an offense if committed in one place under one condition may not necessarily be an offense if committed elsewhere under different circumstances.

(b) **Does the Coast Guard have jurisdiction?** In other words, is the statute which has been violated a law of the United States. If not, is the act a felony or a breach of the peace such that you have the right to arrest in your capacity as a private citizen (a citizen's arrest)? Unless the answer to one of these questions is "yes," you must not make the arrest.

(c) **Is it reasonable and necessary for you to make an arrest?** It is reasonable for you to make an arrest if you have witnessed the offense, and it is necessary for you to make an arrest if the offender might otherwise escape and thereby avoid prosecution because you may not know his identity. As a law enforcement official, you may properly require an offender to identify himself.

(d) **How did you become aware of the crime?** If you saw the crime occur, your authority to arrest is unquestioned. However if you become aware of the crime through hearsay, i.e., information provided by a third party (even another Coast Guard official), you must obtain a warrant before making the arrest **unless** the facts are clear and an immediate arrest is necessary to prevent the escape of the person committing the crime.

b. INTENT

(1) After you have determined that you have the authority to make an arrest, it is not sufficient for you to merely make up your mind to arrest a person. You must also clearly indicate to the suspect that you are arresting him (depriving him of his liberty) and that you have the authority to make the arrest. The working of your intent must be such that a reasonable person would know that he is lawfully under arrest. **Use the words: "You are under arrest; I am a Coast Guard boarding officer."**

(2) The fact that you are in uniform does not completely relieve you of the responsibility of identifying yourself. Likewise, phrases such as "come with me" or the equivalent impose no obligation on the citizen to obey, nor do they impose the status of arrest.

(3) Having declared your intent, you should immediately inform the person of the nature of the offense for which you are arresting him. **Avoid unnecessary conversation.** Do not discuss the merits of, or justification for, the arrest.

c. COMPLIANCE

(1) The third element of arrest is compliance by the accused. It is necessary that the accused acknowledge in some fashion, ordinarily by complying with the

order of arrest, that he has recognized his status of being under arrest. It is not necessary to lay hands on the accused if he obeys an order after you have made the order of arrest. If the accused does not comply, then it would be necessary to touch the accused to complete the status of arrest. Without such compliance or such touching, a person is not technically under arrest.

(2) It is widely believed that touching is always necessary; however, it is necessary only if other compliance has not been shown. Whenever possible, it is wise not to touch, since the movement of the hand toward a person is often regarded, especially by those under the influence of intoxicants, as an offer to fight.

QUESTION:	Is compliance indicated by a person who attempts to flee after being informed of the arresting officer's intentions?
ANSWER:	It would be reasonable to assume that the person understands what is taking place in this instance. However, if no touching has occurred, the act of fleeing is not in itself a submission to arrest. If the arrested person first goes with the Coast Guard boarding officer and then changes his mind and runs, his escape is an attempt to resist arrest. His initial compliance, though, makes the arrest complete.

(3) After a suspect has submitted to arrest and is in your custody, you must protect him. It is your duty to prevent bystanders from assaulting him. Allow no one to use physical force on him after you have taken him into custody. When you must use restraints such as handcuffs or rope, apply them correctly to prevent injuring the prisoner.

H. TECHNIQUES OF ARREST

1. Although you may never make an arrest, it is necessary that you know and understand how to arrest, not only for your safety but also for the safety of the person you are arresting. Since arrest is the act of depriving an individual of his freedom, you must realize that no two individuals react in the same way to this experience. There is no such thing as a routine arrest; there is always an element of danger.

2. Even though situations vary, never attempt to arrest without some plan of action. In certain instances, time will permit only a few moments of planning. It is on these occasions that your training and past experiences become decisive factors, because within a matter of seconds you must react. There can be no hesitation. **Your action must be speedy and resolute, but responsive to the situation and controlled by your judgment.** You must know what is expected of you and what your plan of action will be.

3. Whenever you are called upon to make an arrest, you must, of necessity, take control and remain the master of the situation. Your tone of voice is of prime importance in obtaining attention and compliance. Your attitude, bearing, and appearance also help you achieve these objectives.

4. Fear, doubt, or lack of confidence is quickly transmitted by your voice--by what you say and how you say it. If you possess self-confidence, you do not need to impress the suspect with your voice. Raise it only to be heard, not to camouflage inadequacies. The tone should imply a command, not a request. **If you speak in a clear, decisive voice, you leave no room for discussion as to who is in charge. Hesitation or overemphasis is an indication of nervousness or inexperience, and either may lead to difficulties.**

5. You should **always avoid profanity**, since it is an indication of weakness. It reduces you to the level of the criminal. In turn, profanity may influence the suspect to resist. If a suspect uses profanity toward you, remember that it detracts from your position to reply in a like manner.

6. As a symbol of the law, you must act in an impartial and impersonal manner. If you radiate authority and strength, stand erect, and have a neat appearance and businesslike attitude, you are less likely to encounter a "fighter."

I. USE OF FORCE

1. Since there is the possibility that the person you are arresting will not recognize the arrest or will resist being arrested, it is important for you to know what force you can use in making an arrest or in securing the custody of an accused.
2. A general statement is that when an accused resists arrest or attempts to escape from arrest, you **may use whatever reasonable and necessary non-deadly force** is required to insure compliance with the order of

13.I.2.(Continued)

arrest. The use of any additional force may impose upon you personal civil liability for assault and battery, as well as possible disciplinary action from the Coast Guard under the UCMJ. What is reasonable depends entirely on the circumstances, the physical resistance offered by the accused, the seriousness of the crime, and the alternatives open to you. Plainly, it is not proper for you to vent your feelings on the accused.

3. In every arrest situation, you must be firm and be prepared to protect yourself as well as others. Obtaining obedience to your instructions may require steps that vary from a command to actual physical contact. However, **the only force which you may use is that actually necessary to complete the arrest**. You must never physically assault a person who is peacefully submitting to the arrest. When determining whether to use force, consider the following factors:

   a. Is the suspect submitting peacefully or is he resisting?

   b. Is the suspect armed?

   c. What is the nature of the crime committed?

   d. How does the suspect's size and strength compare with your size and strength?

   e. How many persons are involved in the crime and what is your available support at the scene?

J. USE OF FIREARMS AND WEAPONS

1. The use of firearms and weapons may be required at the descretion of the unit commanding officer. Refer to Commandant Instruction 16243.1.

K. PROCEDURES AFTER ARREST

1. One requirement of the law is that you take the arrested **without unnecessary delay** to a U.S. magistrate or other judicial officer. Even though **unnecessary** is a flexible word, you should follow the spirit of the law as much as possible. Courts have held that a few hours is not an excessive delay. Remember that laws are written to protect all citizens, even those who have been arrested.

2. When you make an arrest during the normal working day, retain custody of your prisoner until you bring him before a committing

magistrate or until you have been directed to give the prisoner to another law enforcement officer. In all cases of arrest that you handle, seek the advice and assistance of a **U.S. Attorney**, for it is upon him that the burden of going forward with the government's case will fall. The district legal officer will help you in making contact with a U.S. Attorney.

3. In some cases you will arrest a suspect after the normal working day of a U.S. magistrate and with none of the other appropriate officials immediately available. In such cases you should deliver your prisoner to a Federal detention facility if one is available or to the municipal or county jail, to be held there as a Federal prisoner. Then bring the arrested person before a committing magistrate without any unnecessary delay on the next working day of such magistrate. In every case you will be required to file a complaint, which is a sworn written statement alleging the offense and stating that the prisoner committed or probably committed the offense. Whenever possible, immediately advise your unit duty officer or the district RCC of the arrest and ask their assistance in arranging disposition of the case.

4. Three generally recognized and permitted delays are as follows: searching the suspect, warning the suspect, and preliminary unofficial examination of the suspect.

L. SEARCHING THE SUSPECT

1. After you have arrested a suspect, your first action should be to **search** him. It is lawful to make such a search, as a necessary protection to you. Carefully perform the search to enable discovery of any weapons, means of committing crimes, fruits of the crime, and evidence of the crime.

2. On making a search, it is preferable to have the person being searched off-balance and with his back to you. One recognized method is to have the accused lean forward and place his hands widespread against a wall. His feet should also be well spread. This position will make possible a thorough search of all parts of his clothing and will make awkward any hostile movement. If you keep one foot between the prisoner's feet, you will be able to throw the prisoner to the ground with ease should there be any resistance. **Although such a search may sound extreme, remember that persons are not normally arrested unless their continued presence at large would constitute a threat to society.**

3. **Women shall not normally be given such a search, except by another woman.** A search of a woman's handbag and overcoat should suffice.

4. In general, conduct searches in as discreet a manner as possible, insuring the safety of yourself, the success of the search, and the dignity of the prisoner.

M. WARNING THE SUSPECT

1. After searching the suspect, you may question him, take him to other authorities for questioning, or both. Before asking him questions, other than his name and address, however, you **must** give him a proper warning of his rights. Giving proper warning is very important, because if you do not meet the warning requirements, any incriminating evidence obtained through information supplied by the suspect cannot be used against him at the trial.

2. Because of the importance of the warning and because you may not remember the full wording of the warning, it may be better to take the suspect directly to appropriate officials for interrogation by better trained personnel. If you do wish to question him, however, you must give him the following warning (Miranda Warning) or other words to this effect:

   "You are suspected of (specific crime). You have the absolute right to remain silent. Anything you say will be used against you in court. You have the right to consult with a lawyer, and to have him present prior to and during any questioning. If you desire a lawyer but cannot afford one, a lawyer will be appointed for you. If you desire a lawyer, all questioning will be terminated until you have been able to obtain and consult with a lawyer. Whether or not you have a lawyer, you have the right to terminate questioning at any time."

3. After this warning is given, ascertain whether the accused or suspect understands his rights and will be able to freely, knowingly, and intelligently waive them. If he does so understand his rights, then specifically ask him these two questions:

   a. Do you want counsel?

   b. Do you want to make a statement and/or answer questions?

4. If the suspect desires to waive his rights and make a statement, you may question him about the suspected offense. During this questioning,

13.M.4.(Continued)

you must never offer any threats, use any force, or make any promises of reward, immunity, or lenient treatment; in other words, the statement or answers he gives must be completely voluntary. If you prolong the questions or delay the prisoner's appearance before a magistrate, legal problems and surrounding confusion multiply. As soon as the prisoner expresses his desire to terminate questioning, immediately do so. Keep the questioning short.

N. PRELIMINARY UNOFFICIAL EXAMINATION

1. A usual practice before a prisoner is brought before a magistrate is an unofficial preliminary questioning by appropriate officials. The nature of the offense determines by whom the case is reviewed.

2. **In every boating safety case involving arrest notify the U.S. Attorney's office in your area and the immediate superior in the chain of command.** A message to the appropriate official or officer will take only a few minutes and will determine the action to be taken.

O. TAKING PERSONAL PROPERTY INTO CUSTODY

1. If the person arrested has been operating his own vessel at the time of his arrest, you may direct one of your Coast Guard party to bring the vessel in and transfer the prisoner to the Coast Guard vessel. However, if you have no competent person aboard to bring the civilian boat in, you may direct the prisoner to bring his boat in himself and to stay ahead of the Coast Guard vessel. If there are passengers aboard the civilian vessel, you may release the vessel to one of them if there is an operator aboard who is qualified to operate the vessel and who agrees to do so and if the operator who has been arrested agrees to this procedure. Towing may also be considered, however the arrested operator should be kept in your boat.

P. RESPONSIBILITY FOR, AND SAFEKEEPING OF, PERSONAL PROPERTY

1. In all instances in which a Coast Guard crew goes aboard a civilian vessel or where the arrested person is permitted to bring the vessel in, the vessel should be taken to a Coast Guard, other U.S. Government, or harbor police mooring. There, measures should be taken to safeguard the boat, both for the protection of the property itself and the preservation of evidence if the boat is evidence. **Always remember that while the boat is being operated by or for the Coast Guard and while it is moored at a Coast Guard facility, the government is liable for**

13.P.1.(Continued)

damage to the boat and its equipment or cargo caused by negligence. Therefore, insure a high standard of care for the boat.

QUESTION:	Does the above paragraph suggest that you can take a vessel into custody and moor it at a state police mooring?
ANSWER:	It means that if at all possible, you should moor the vessel at a Coast Guard unit. However, when circumstances dictate, you may moor the vessel at a state police pier if the state police have granted permission. When a vessel is at a state police mooring, you are still responsible for the vessel. In fact, no matter where you place the vessel, you are responsible for its safekeeping.

Q. INVENTORY OF PERSONAL PROPERTY

1. Once the boat has been moored for safekeeping at the selected place, there are a few basic rules you should follow in order to protect yourself and the government.

    a. As soon as the boat arrives at the place of safekeeping, you should take an inventory of the boat's contents. This inventory should be very thorough and include not only the normal equipment but also items such as rags, charts, beverages of all kind, foodstuffs, etc.

    b. If at all possible, take pictures of the boat with a Polaroid camera or any other camera that is available. Be sure to identify each photograph as to what each shows and then sign and date each photograph. During the inventory and picture-taking, try to have a witness. The witness should sign the inventory and pictures.

    c. Type or print up the inventory in an original (to be forwarded with the boarding report) and at least four copies (one copy for yourself, one copy for the U.S. attorney, one copy for the arrested person or his attorney, and one copy for the unit files). It is not necessary to have this many pictures; however, it is always wise for the Coast Guard unit to which you are assigned to have extra copies for their files even though it is not required.

R. INDICTMENT PROCEDURES

1. In those cases requiring an indictment (i.e., all felonies) the next step after the case has been presented to the Federal magistrate is the Federal grand jury. The grand jury is a judicial investigative body of citizens that investigates crimes and determines whether sufficient grounds exist to present criminal cases to a Federal district court for trial.

2. If you have made the arrest, usually you will gather the evidence (for cases of crime on the high seas, you will gather evidence with the FBI) and report it to the U.S. attorney. He, in turn, will present the case to the grand jury. At this presentation, the grand jury will desire to hear your sworn testimony.

S. PROCEDURES AFTER AN INDICTMENT

1. Following the return of a true bill (indictment) for a felony, or the filing of criminal information for a misdemeanor (or for a felony if the defendant waives an indictment), the defendant is brought to trial in a U.S. district court. Here again, you, the arresting Coast Guardsman, must be prepared to testify in open court about all of the circumstances surrounding the arrest, including the precise facts of the case.

2. Since you must be able to show to the satisfaction of the U.S. magistrate, the Federal grand jury, and a U.S. district court the facts concerning the case, you must have accurate facts and knowledge of the offense. The possibility is strong that there will be months between the time of the arrest and the day of the trial. Therefore, **it is essential that you make complete and detailed notes** as soon as possible after the arrest and that you submit a complete report of all of the circumstances, facts, witnesses, and evidence to the U.S. attorney through your commanding officer and district commander.

T. EVIDENCE

1. **Evidence is a general term which applies to anything which tends to prove or disprove a question in dispute or to influence a belief respecting it.** There may be times when you, during the performance of your boating safety duties, will have to collect or preserve evidence. No matter what situation you investigate, it is essential that you be able to offer as much proof as possible to support the facts of the case. Therefore, you should be aware of the basic rules concerning evidence.

13.T.

2. In any investigation, do not overlook anything or any circumstance at the scene of a crime, incident, or violation. Gather and hold as evidence anything which may have a bearing on the case. Remember the following points when you are collecting and preserving evidence:

   a. Gather everything that might be of significance to the case.

   b. Connect your pieces of evidence to the circumstances at the scene through photographs, sketches, and written descriptions.

   c. Mark all evidence by tagging and initialing it to aid in later identification.

   d. Disturb or handle evidence as little as possible, lest it lose evidential value.

   e. Protect all evidence from unauthorized persons, who might destroy its evidential value through either design or ignorance.

   f. Protect evidence from adverse weather conditions or other harmful situations.

   g. Store pieces of evidence carefully so that they remain intact.

   h. **Maintain a chain of custody**. A chain of custody is a receipting process whereby there is always a continuous line of custody maintained for any piece of evidence. Thus, the possession of the evidence at all times is accounted for, and its unchanged character can be attested to from the time of the crime until it appears in court.

QUESTION:	If you hand over a piece of evidence to a person who will safeguard it, must you obtain a signed receipt from that person?
ANSWER:	Yes. Regardless of who the person is, you must obtain a signed receipt. Remember, evidence is of critical importance to any case, and failure to deal with it properly can completely cancel out its value in court.

U. TYPES OF EVIDENCE

1. Evidence is of two types: **direct and indirect**. By **direct evidence** is meant evidence which **tends directly to prove or disprove a fact in**

issue. If a person has actually seen a particular act performed and that person testified as to what he has seen, his testimony is direct evidence about the performance of the act. **Indirect evidence, on the other hand, is that evidence which does not tend directly to prove or disprove a fact or circumstance from which either by itself or combined with other facts and circumstances, the existence or nonexistence of a fact which is in issue may reasonably be inferred according to the common experience of mankind.** Indirect evidence is also referred to as circumstantial evidence and always involves the use of inferences to be drawn from related facts as to facts which are in dispute. For example, testimony establishes that immediately prior to passage of a boat through a channel, an aid to navigation in that channel was intact, and that immediately subsequent to passage of that boat, the aid and the boat were damaged; it could reasonably be inferred that the boat in question damaged the aid although no one saw the boat strike or damage the aid.

2. The danger in sole reliance upon circumstantial evidence lies in the fact that circumstances may so combine as to result in a strong circumstantial case against an innocent party. In other words, the inferences drawn may be incorrect. Because many cases lack direct evidence, it is necessary that you carefully gather circumstantial evidence.

V. FORMS OF EVIDENCE

1. Both direct and indirect evidence may take any of the following three forms: oral, documentary, or real. First, there may be **oral evidence**. This is evidence which is spoken, being given under oath by a witness at a trial or hearing. The witness relates to the court those things pertaining to issues before it about which he has knowledge. With rare exceptions, opinions are not permitted. The testimony must concern facts which came to the witness through his senses--hearing, sight, touch, smell, and taste. With oral evidence, there are the following safeguards with regard to truthfulness--the oath taken by the witness, confrontation, cross-examination, and the opportunity for the court to observe the appearance and demeanor of the witness while he is giving evidence.

2. The second form which evidence may take is **documentary**. This may consist of writing, papers, records, and the like which have a bearing on the issues involved in the case. Such documents, when offered in evidence, are subject to the inspection and objection of opposing counsel. Generally speaking, only the originals of documents may be

admitted as evidence, although exceptions to this rule exist. Because of a tendency for people to lend great weight to printed materials, documentary evidence--if it is admitted into evidence by the court--is considered strong in support of the position for which it is offered.

3. The third form which evidence may take is **demonstrative or real** evidence. This evidence consists of persons, places, or things which are involved in the issues before the court and which are exhibited to the view of the court. Because of its nature, demonstrative evidence is very strong evidence in support of the position for which it is offered. The viewing of scars, tattoos, wounds, the scene of a crime or accident, the weapon or instrument used, all of which are demonstrative in nature, can, if properly presented, have a forceful impact on the court. In some cases, the demonstrative evidence may be necessary to prove the commission of a crime, as in smuggling cases when the goods in question can be produced in court.

W. SUMMARY

1. After you have determined whether you have jurisdiction concerning a violation of a law, you must determine if the violation is a criminal offense (one for which you may arrest a person) or a civil offense (one for which an arrest may not be made). Arrest is the taking of a person accused of criminal complaint into official custody before a court or in response to a subpoena. Section 89 of Title 14 USC authorizes you to arrest persons who break Federal laws which render persons liable to arrest. Along with this authority comes the responsibility for any illegal or false arrests you may make. Generally, it is desirable to obtain a warrant to effect an arrest, but as you have learned, there are exceptions to this generalization that are based on whether the crime is a felony or a misdemeanor, whether there is a witness to the crime, whether the crime is serious or likely to be repeated, and whether escape is likely.

2. For an arrest to be legal, you must have the authority to arrest. Ask yourself the following questions: (1) Has a Federal law been violated? (2) Does the Coast Guard have jurisdiction? (3) Is it reasonable and necessary for you to make an arrest? (4) How did you become aware of the crime? After determining your authority, you must indicate to the suspect that you are arresting him (show your intent), and he, in turn, must show compliance to the arrest. When making the arrest, remember the following factors: (1) There is no such thing as a routine arrest, (2) There is always an element of danger when making an arrest, (3) Maintain control of the arrest at all times, (4) Consider carefully

13.W.2.(Continued)

whether to use force, and (5) Protect yourself, bystanders, and the arrested person.

3. After making an arrest, notify your command immediately and then, depending upon instructions received, take your suspect without unnecessary delay to a Federal magistrate or other judicial officer and seek the advice of the U.S. attorney in your area. Permitted delays include searching the suspect, warning him of his rights (Miranda Warning), and conducting an unofficial questioning of him. You must protect the offender and take his personal property (his boat and its belongings) into custody and safeguard it. Make an inventory of the property and also take pictures. Take detailed notes as soon as possible after an arrest so that you can accurately testify to the grand jury of the U.S. district court in cases requiring indictments. Gather and hold as evidence anything which may have a bearing on a case. Evidence is either direct or indirect (circumstantial), and both of these types may be oral, documentary, or real.

X. CHAPTER QUIZ

1. Define arrest as used in this chapter.
2. Define the three types of criminal offenses.
3. Define a civil offense.
4. May you arrest a person for a civil offense?
5. Where do Coast Guard officers and petty officers get their authority for arrest?
6. When can you make an arrest without a warrant?
7. What are the three elements of arrest?
8. What are the four factors to consider in determining your authority?
9. What constitutes compliance with the order of arrest?
10. How much force may you use to make an arrest?
11. What are the normal procedures to follow after arrest?
12. After making an arrest should you search the person?

13. What steps should you go through to protect the personal property of the person you have arrested?

14. Why should you make complete and detailed notes of all circumstances surrounding the arrest?

15. What are the two types of evidence? Define them.

16. What are the forms of evidence?

[redacted]

CHAPTER 14: STATE BOATING SAFETY PROGRAMS

A. INTRODUCTION

1. The primary purpose of state boating safety programs is the same as that of the Federal boating safety program--to promote safe boating. The one difference is that a state program applies only to waters of a particular state, whereas the Federal program applies to all Federal waters. The two programs working together should result in safe boating on all waters.

2. State boating safety programs stem from state boating safety laws the same as the Coast Guard's boating safety program stems from Federal boating safety laws. State boating laws are much the same as Federal boating laws in that the former requires certain equipment to be on board a vessel when the vessel is in operation, requires a vessel to be registered and display the registered number, and requires a vessel to be operated safely. A comparison of state boating laws to Federal boating laws is presented later in this chapter.

3. With the sport of boating continuing to grow as it has in the past few years, the state boating safety programs have been a definite asset in the total program of promoting boating safety. Their assistance has been especially helpful on state waters where the Coast Guard has no jurisdiction. The states, in addition to performing boating safety patrols and the actual enforcing of boating laws, have concentrated heavily on establishing boating safety educational programs. Many states have pursued their educational programs by requiring minors to have a safety certificate in order to operate a motorboat. The only way these minors can obtain this certificate is by completing some type of boating safety education course. The majority of states offer or recommend voluntary adult-type boating safety courses. To assist the states in this educational endeavor, the Coast Guard Auxiliary and the U.S. Power Squadron have in some cases made their members available to teach the state boating safety courses in addition to their own public education courses.

4. To lend further support to boating safety on state waters, the vast majority of states have adopted the Uniform State Waterway Marking System for marking their waters. Some states are also dredging waterways to remove underwater obstructions. These two programs definitely make State waters safer. The dredging program is being conducted in only a few states at the present time due to the great expense involved with dredging operations. In addition to the foregoing, many states are also constructing large and modern mooring facilities in

14.A.4.(Continued)

an effort to make boating safer and more pleasurable to the boating public.

5. In order that the promotion of boating safety may reach total accomplishment, Coast Guard and state boating safety forces must possess a knowledge of each other's boating safety laws and programs. To aid in this accomplishment, we are providing in this chapter state boating safety legal requirements so you can compare them to Federal boating safety legal requirements. Also given are some of the programs in which various states are involved. This information is included to provide you with an understanding of the state boating laws for the state in which you are assigned. This information was current as of 1 January 1978 but may have changed between that date and the present. State laws are like Federal laws in that they are subject to change from time to time. In order for you to know if the information in this chapter is still current, you should obtain a current copy of the state boating laws from the respective State to which you are assigned.

6. The state law covered here is not to be used for quoting the law to the public. Although the laws stated herein are believed to be current at the time this manual went to print, each boarding officer should make himself or herself familiar with the laws in their respective states. At this time many states are in the process of updating their recreational boating laws.

B. STATE NUMBERING SYSTEM INFORMATION

State	*Period of Validity*	*Date of Expiration*
Alabama	1 year	1 year after date of issue
Alaska	Issued by CG	
Arizona	1 year	Jan. 1 of the following year
Arkansas	2 years	2 years from Date of Issue
California	1 year	Dec. 31
Colorado	1 year	Dec. 31
Connecticut	1 year	Apr. 30
Delaware	1 year	Mar. 31
D.C.	1 year	Dec. 31
Florida	1 year	June 30
Georgia	3 years	End of month of

14.B.(Continued)

		owner's birthday
Hawaii	1 year	1 year after date of issue
Idaho	3 years	3 years after date of issue
Illinois	2 years	June 30 of year of expiration
Indiana	3 years	End of month 3 years after issue
Iowa	2 years	Apr. 30 of odd numbered years
Kansas	3 years	3 years from date of issuance
Kentucky	1 year	Apr. 30
Louisiana	3 years	End of quarter 3 years after date of issuance
Maine	2 years	Dec. 31 of 2nd year
Maryland	1 year	Dec. 31
Massachusetts	1 year	Date of birth
Michigan	3 years	Dec. 31 of every third predetermined year
Minnesota	3 years	Dec. 31 of every third predetermined year
Mississippi	2 years	June 30 of odd numbered years
Missouri	3 years	May stagger to distribute the workload
Montana	1 year	Apr. 30
Nebraska	1 year	Dec. 31
Nevada	1 year	Dec. 31
New Hampshire	Issued by CG	
New Jersey	1 year	12 months after date of issuance
New Mexico	3 years	Dec. 31 of third year after issue
New York	3 years	3 years after date of issue
North Carolina	1 year	Dec. 31

14.B.(Continued)

North Dakota	3 years	Dec. 31 of every third predetermined year
Ohio	1 year	Last day of February
Oklahoma	1 year	Mar. 31
Oregon	1 year	Dec. 31
Pennsylvania	1 year	Mar. 31
Rhode Island	2 years	Dec. 31 of even numbered years
South Carolina	3 years	End of month 3 years after date of issue
South Dakota	3 years	Dec. 31 of every third predetermined year
Tennessee	3 years	3 years after date of issue
Texas	2 years	Mar. 31
Utah	3 years	Feb. 28 of third year
Vermont	1 year	Feb. 28
Virginia	3 years	3 years from first day of month of issuance
Washington	Issued by CG	
West Virginia	1 year	June 30
Wisconsin	3 years	Mar. 31 of every predetermined year
Wyoming	1 year	Dec. 31
Guam	Issued by CG	
Puerto Rico	3 years	3 years after date of issue
Virgin Islands	1 year	1 year after date of issue

C. STATE REGISTRATION REQUIREMENTS

Alabama: All motorboats, sailboats, and boats for hire.

Alaska: All motorboats.

Arizona: All watercraft.

Arkansas: All motorboats on joint Federal/state waters. All motorboats of more than 10 horsepower on sole state waters.

California: All motorboats and all sailboats over 8 feet in length.

Connecticut: All motorboats.

Colorado: All motorboats and sailboats.

Delaware: All motorboats.

D.C. All watercraft.

Florida: All motorboats.

Georgia: All motorboats and sailboats 12 feet or over.

Guam: All motorboats.

Hawaii: All motorboats and sailboats over 8 feet.

Idaho: All motorboats.

Illinois: All motorboats and sailboats over 12 feet.

Indiana: All motorboats.

Iowa: All watercraft.

Kansas: All motorboats and sailboats.

Kentucky: All motorboats.

Louisiana: All motorboats.

Maine: All motorboats.

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14.C.(Continued)

Maryland:	All motorboats.
Massachusetts:	All motorboats.
Michigan:	All motorboats.
Minnesota:	All watercraft.
Mississippi:	All motorboats.
Missouri:	All motorboats 7-1/2 horsepower or greater.
Montana:	All motorboats and non-powered boats 12 feet long or longer.
Nebraska:	All motorboats.
Nevada:	All motorboats.
New Hampshire:	All motorboats are numbered by the Coast Guard. All motorboats must also be registered by New Hampshire.
New Jersey:	All motorboats.
New Mexico:	All motorboats and sailboats.
New York:	All motorboats.
North Carolina:	All motorboats.
North Dakota:	All motorboats.
Ohio:	All watercraft.
Oklahoma:	All watercraft.
Oregon:	All motorboats and sailboats 12 feet or over.
Pennsylvania:	All motorboats.
Puerto Rico:	All motorboats.
Rhode Island:	All motorboats.
South Carolina:	All motorboats.

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14.C.(Continued)

South Dakota: All motorboats.

Tennessee: All motorboats and sailboats.

Texas: All motorboats.

Utah: All motorboats and sailboats.

Vermont: All motorboats.

Virgin Islands: All motorboats.

Virginia: All motorboats.

Washington: All motorboats.

West Virginia: All motorboats.

Wisconsin: All motorboats. All sailboats over 12 feet in length.

Wyoming: All motorboats.

D. STATES WITH PRE-CONDITIONS TO NUMBERING

Alabama: None

Alaska: None

Arizona: None

Arkansas: Proof that boat has been assessed properly for taxes must accompany application for number.

California: None

Colorado: None

Connecticut: None

Delaware: None

D.C.: None. All applications for licensing of marine craft must be accompanied by a certificate or notarized bill of sale.

14.D.(Continued)

Florida:	None
Georgia:	None
Hawaii:	None
Idaho:	Number will not be issued without proof or payment of sales tax.
Illinois:	None
Indiana:	None
Iowa:	None
Kansas:	None
Kentucky:	None
Louisiana:	None
Maine:	None
Maryland:	Title must be obtained before number will be issued. Sales (or title) tax must be paid before a title can be obtained.
Massachusetts:	None
Michigan:	None
Minnesota:	None
Mississippi:	None
Missouri:	Certificate of title must be obtained before number will be issued.
Montana:	Certificate of tax of personal property showing tax on boat has been paid must accompany application for certificate of number.
Nebraska:	None
Nevada:	Proof of payment of sales or use tax must accompany application for certificate of number.

14.D.(Continued)

New Jersey:	Proof of payment of sales tax must accompany application for certificate of number. Numbers will not be issued to boats on non-tidal waters unless pollution requirements are met.
New Mexico:	None
New Hampshire:	Must show proof that state taxes are paid.
New York:	None
North Carolina:	Certificate of number will not be issued to boats which do not conform to the state's pollution laws.
North Dakota:	None
Ohio:	Out/board motors must be registered with the state and have a registration tag on the motor.
Oklahoma:	Certificates of title and number are combined. 1 percent of value is charged before it will be issued.
Oregon:	Certificate of title must be obtained before number will be issued.
Pennsylvania:	None
Rhode Island:	None
South Carolina:	Titles required for all motorboats and sailboats over 14 feet in length and all outboard motors 5HP or larger.
South Dakota:	None
Tennessee:	None
Texas:	None
Utah:	A current year county property tax receipt must accompany application for number. Number may be withheld or suspended for non-compliance of pollution laws.
Vermont:	None
Virginia:	None

14.D.(Continued)

Washington:	None
West Virginia:	None
Wisconsin:	Proof of payment of sales or use tax must accompany application for number.
Wyoming:	None

E. STATES WITH NON-CONFORMING FIRE EXTINGUISHER REQUIREMENTS

NOTE: * – Conforms with Model Act (Act of 1971).

Alabama:	*
Alaska:	Only requires a device capable of extinguishing burning gasoline on boats "for hire."
Arizona:	Same as Federal except open class "A" and "1" outboards are not exempt.
Arkansas:	None required on state waters. Same as Federal on Federal waters.
California:	*
Colorado:	*
Connecticut:	*
Delaware:	*
D.C.:	*
Florida:	*
Georgia:	*
Hawaii:	*
Idaho:	All motorboats must carry at least one C.G. approved extinguisher.
Illinois:	One C.G. approved extinguisher required on all motorboats 10 h.p. or over.

14.E.(Continued)

Indiana:	None required.
Iowa:	One C.G. approved extinguisher required on all motorboats 10 h.p. or over.
Kansas:	*
Kentucky:	*
Louisiana:	H.B. 718 S 1950 – Hand operated fire extinguisher required on all watercraft and moveables. Need not be C.G. approved. Marine law is the same as the Model Act.
Maine:	*
Maryland:	*
Massachusetts:	*
Michigan:	*
Minnesota:	Shall comply with C.G. requirements.
Mississippi:	*
Missouri:	One B-I type CG approved extinguisher, unless explosive vapors cannot be trapped (no fixed system).
Montana:	*
Nebraska:	*
Nevada:	*
New Hampshire:	Same as Federal except open construction class "A" and "1" outboards are not exempt.
New Jersey:	*
New Mexico:	*
New York:	*
North Carolina:	*

14.E.(Continued)

North Dakota: *

Ohio: *

Oklahoma: *

Oregon: Same as Model Act except required on all motorboats.

Pennsylvania: *

Rhode Island: *

South Carolina: Same as Federal.

South Dakota: Extinguisher must be U.L. approved. None for class "A", 1 for class "1", 2 for class "2", 3 for class "3".

Tennessee: *

Texas: *

Utah: *

Vermont: *

Virginia: *

Washington: None required.

West Virginia: *

Wisconsin: Same as Model Act except hand portable extinguisher need not be C.G. approved and all open outboards, regardless of size, are exempt.

Wyoming: At least one C.G. approved extinguisher required on all inboards and all other watercraft 16 feet and over.

Guam: *

Puerto Rico: *

Virgin Islands: *

F. STATES WITH NON-CONFORMING LIGHT REQUIREMENTS

Alabama:	*
Alaska:	On inland waters only one 360° white light is required on all watercraft between sunset and sunrise.
Arizona:	Same as Model Act, except rowboats and other craft are exempt when used on waters where power driven craft are prohibited.
Arkansas:	On state waters only a white light, sufficient to make motorboat's presence and location known, is required during hours of darkness.
California:	*
Colorado:	Sailboats of class "A" and "I" must carry a combination red and green light forward and no stern light. Sailboats of class "II" and "III", must carry red and green side lights but no stern light. All sailboats and motorboats of class "A" or "I" powered by less than ten horsepower must carry a lantern or flashlight capable of displaying a white light in time to prevent collision.
Connecticut:	*
Delaware:	*
D.C.:	*
Florida:	*
Georgia:	*
Hawaii:	*
Idaho:	Every sailboat and every motorboat propelled by sail and machinery shall, in addition to the other lights required, carry a bright white lantern or flashlight ready at hand which shall upon the approach of another watercraft, be exhibited and shall be flashed continually upon its sails in sufficient time to avert collision. No requirements for motorboats over 26 feet on inland waters.
Illinois:	*

14.F.(Continued)

Indiana:	Combination light required on all motorboats over 15 h.p. and all pontoon boats. A 32 pt. white stern light is required on all motorboats and sailboats. Dinghies and tenders need only have a white hand held light when operated as such.
Iowa:	All vessels while at anchor and inhabited shall display a white or amber light so placed as to show 360° around the horizon. All stern lights are 32 points.
Kansas:	Required 12 point stern light on all sailboats.
Kentucky:	*
Louisiana:	Same as Coast Guard—plus all boats must carry, when underway at night, a lantern or flashlight which can be used to signal another boat to avoid a collision.
Maine:	*
Maryland:	*
Massachusetts:	*
Michigan:	*
Minnesota:	*
Mississippi:	*
Missouri:	Same as Model Act except motorboats 7-1/2 h.p. or less are only required to carry a white light the same as rowboats.
Montana:	*
Nebraska:	*
Nevada:	*
New Hampshire:	*
New Jersey:	*
New Mexico:	*

14.F.(Continued)

New York: *

North Carolina: Under 10 h.p. requires only stern light or flashlight.

North Dakota: *

Ohio: *

Oklahoma: *

Oregon: *

Pennsylvania: *

Rhode Island: *

South Carolina: Same as federal.

South Dakota: *

Tennessee: *

Texas: *

Utah: *

Vermont: *

Virginia: *

Washington: State law requires only one white light distinctly visible for 300 ft. during hours of darkness.

West Virginia: *

Wisconsin: *

Wyoming: *

G. STATES WITH P.F.D. REQUIREMENTS DIFFERENT THAN FEDERAL

14.G.(Continued)

Alabama:	State does not require life preservers or ring buoys for vessels carrying passengers for hire.
Alaska:	State law requires one life preserver or life belt or ring buoy or other device approved by C.G. for each person on all watercraft--vessels carrying passengers for hire need C.G. approved life preservers.
Arizona:	Children under 8 years must wear a C.G. approved device. All watercraft will carry CG approved PFD's in good condition, easily accessible for use. Persons being towed shall wear a buoyant belt or PFD.
Arkansas:	State law requires on sole state waters one C.G. approved P.F.D. or ski belt for each person on a motorboat--at night all watercraft must carry P.F.D.'s.
California:	*
Colorado:	Motorboats less than 16 feet in length required to carry Type I, II, or III for each person on board. (This includes canoes and kayaks.) All water skiers must wear a P.F.D. or ski belt.
Connecticut:	Same as Federal Regulations.
Delaware:	Same as Federal Regulations.
D.C.:	Same as Federal Regulations.
Florida:	Same as Federal Regulations.
Georgia:	Same as Federal Regulations.
Hawaii:	C.G. approved P.F.D. required on all watercraft except sailboats and manual propelled boats less than 16 feet built with sufficient flotation to keep from sinking in event of filling or capsizing.
Idaho:	C.G. approved P.F.D. required on all watercraft--does not specify condition or accessibility.
Illinois:	C.G. approved P.F.D. required on all watercraft. Type I or ring buoy for class 3.
Indiana:	C.G. approved P.F.D. required on all watercraft.

14.G.(Continued)

Iowa:	C.G. approved P.F.D. required on all watercraft.
Kansas:	*
Kentucky:	C.G. approved P.F.D. required on all watercraft.
Louisiana:	C.G. approved P.F.D. required on all watercraft. Children 12 years or younger must wear life jackets while underway in a class "A" or class "1" boat.
Maine:	C.G. approved P.F.D. required on all watercraft. (Canoes owned by boys or girls camps are exempt during training periods when within 500 ft. of shore.)
Maryland:	C.G. approved P.F.D. required on all watercraft.
Massachusetts:	P.F.D.'s required on all watercraft.
Michigan:	C.G. approved P.F.D. required on all watercraft.
Minnesota:	C.G. approved P.F.D. required on all watercraft including non-motorized canoes and kayaks.
Mississippi:	C.G. approved P.F.D. required on all watercraft.
Missouri:	C.G. approved P.F.D. required only on motorboats over 7-1/2 h.p.
Montana:	C.G. approved P.F.D. required on all watercraft--must be worn by persons 12 years or less on class "A" and "1" boats.
Nebraska:	C.G. approved P.F.D. required on all watercraft. No operator shall tow any person on water skis or other device unless that person(s) is wearing a PFD or ski belt in good condition. No person shall operate or manipulate waterskis, surfboards, or similar devices unless they are wearing a PFD or ski belt.
Nevada:	C.G. approved P.F.D. required on all watercraft.
New Hampshire:	Class "A", "I", and "II" motorboats shall carry either a Coast Guard approved life preserver, buoyant vest, life ring buoy, special purpose water safety buoyant device, or a buoyant cushion for each person on board. Class "III" motorboats must carry a life preserver or ring buoy only for each person on board. Occupants of small sailboats, (sailfish – sunfish) windsurfers, and inflatable boats shall

14.G.(Continued)

	wear a ski belt or some form of wearable Coast Guard approved device.
New Jersey:	C.G. approved P.F.D. required on all watercraft.
New Mexico:	River running: All persons aboard canoes, rowboats, rubber rafts, kayaks, pontoon boats, etc., or engaged in float trips, river running races, etc., on rivers in New Mexico shall wear a Coast Guard approved PFD. C.G. approved P.F.D. required on all watercraft.
New York:	C.G. approved P.F.D. required on all watercraft.
North Carolina:	Required on motorboats only.
North Dakota:	C.G. approved P.F.D. required on all watercraft. Anyone being towed on water skis or similar device must wear a Type I, II, or III PFD.
Ohio:	C.G. approved P.F.D. required on all watercraft; persons under 10 yrs. must wear while on board watercraft less than 18 ft. in length.
Oklahoma:	C.G. approved P.F.D. required on all watercraft.
Oregon:	C.G. approved P.F.D. required on all watercraft.
Pennsylvania:	Persons under 9 yrs. must wear P.F.D. on state owned water impoundments. (Sailboats not exempt.)
Rhode Island:	All boats.
South Carolina:	Same as Federal.
South Dakota:	C.G. approved P.F.D. required on all watercraft.
Tennessee:	Same as Federal Law. Water skiers must wear an adequate and effective life preserver, buoyant vest, or life belt. If a ski belt is worn it must be backed up with a Coast Guard approved type PFD.
Texas:	C.G. approved P.F.D. required on all watercraft--children under 12 yrs. must wear while on board a class "A" or "1" boat.

14.G.(Continued)

Utah:	C.G. approved P.F.D. required on all watercraft same as Federal Regulations--children under 12 yrs. must wear--all persons on river float trips must wear.
Vermont:	C.G. approved P.F.D. required on all watercraft. (Exempts boats from organized summer camps.) Water skiers must wear P.F.D. or ski belt.
Virginia:	Same as Federal Law. (Motorboats only.)
Washington:	State law only requires a life preserver (C.G. approved not specified) or life float for each passenger that a boat carrying passengers for hire has capacity for.
West Virginia:	Water skier must wear a C.G. approved PFD.
Wisconsin:	C.G. approved P.F.D. required on all watercraft.
Wyoming:	C.G. approved P.F.D. required on all watercraft.
Guam:	Same as Federal Law.
Puerto Rico:	Same as Federal Law.
Virgin Islands:	C.G. approved P.F.D. required on all watercraft.

H. STATES WITH NON-CONFORMING VENTILATION REQUIREMENTS

Alabama:	Requires an efficient system. No mention of cowls or ducts.
Alaska:	None required.
Arizona:	*
Arkansas:	Requires an efficient system. No mention of cowls or ducts.
California:	*
Colorado:	*
Connecticut:	*
Delaware:	*

14.G.(Continued)

D.C.: *

Florida: *

Georgia: *

Hawaii: *

Idaho: Requires an efficient system. No mention of cowls or ducts.

Illinois: *

Indiana: *

Iowa: Requires an efficient system. No mention of cowls or ducts.

Kansas: *

Kentucky: Requires an efficient system. No mention of cowls or ducts.

Louisiana: Requires an efficient system. No mention of cowls or ducts.

Maine: *

Maryland: *

Massachusetts: *

Michigan: *

Minnesota: *

Mississippi: *

Missouri: Requires an efficient system. No mention of cowls or ducts.

Montana: Requires an efficient system. No mention of cowls or ducts.

Nebraska: Cowls and ducts required on navigable waters only.

Nevada: *

New Hampshire: *

14.G.(Continued)

New Jersey: *

New Mexico: *

New York: Only cowls required. No mention of ducts.

North Carolina: *

North Dakota: Requires an efficient system. No mention of cowls or ducts.

Ohio: No mention of ducts.

Oklahoma: Requires an efficient system. No mention of cowls or ducts.

Oregon: *

Pennsylvania: *

Rhode Island: *

South Carolina: Same as Federal.

South Dakota: *

Tennessee: *

Texas: *

Utah: *

Vermont: *

Virginia: *

Washington: *

West Virginia: *

Wisconsin: *

Wyoming: *

Guam: *

14.I.(Continued)

Puerto Rico:	*
Virgin Islands:	*

I. ADDITIONAL EQUIPMENT BY STATE

Alabama:	Air boats shall display a flag ten (10) by fourteen (14) inches on a twelve foot mast. The exhaust of all internal combustion engines must be muffled. No person shall operate a vessel towing another person(s) on water skis or any similar device without the vessel being equipped with a wide angle rear view mirror to permit the operator to watch the progress of the person(s) being towed. If the boat is not equipped with a rear view mirror then there must be another person other than the operator in the boat to act as observer of the person(s) being towed. Any vessel less than 26 feet in length having an open cockpit, and having more than 25 horsepower, operated after 1 January 1979 must be equipped with an emergency engine or motor SHUT-OFF switch.
Alaska:	None
Arizona:	Fire extinguishers are required on all gasoline powered boats.
Arkansas:	None
California:	Boats engaged in water skiing or similar activities must have another person in the boat, other than the operator, to act as observer of the person(s) being towed. The observer must be at least 12 years of age or older. All internal combustion engine exhaust must be muffled when operated on inland waters.
Colorado:	All internal combustion engines must have exhaust muffled. All boats used for towing water skiers must have an additional person in the boat other than the operator on board to act as observer of the person(s) being towed. Every motorboat or sailboat must carry at least one oar or paddle while being operated.
Connecticut:	Any motorboat used to propel water skiers or other such activities must have one additional person, other than the operator, on board to act as observer of the person(s) being towed. Unless the boat is equipped with a wide angle rear view mirror. Every class "A" boat must be equipped with an anchor, anchor line, and a hand or mouth whistle.

14.I.(Continued)

Delaware:	None
D.C.:	No person shall operate a vessel while towing a person(s) on water skis or similar device unless there is at least one other person other than the operator on board 12 years of age or older to act as observer of the person being towed. Boat must be of sound construction.
Florida:	Oar or paddle, line, and anchor. A hull serial number is required on all boats. An internal combustion engine exhaust must be muffled. There must be a person other than the operator on board at all times to act as observer on boats being used to tow waterskiers unless the boat is equipped with a wide angle rear view mirror mounted in such a manner that the operator has a clear view of the person(s) being towed at all times.
Georgia:	Every internal combustion engine exhaust must be muffled. Any person being towed on water skis, aqua-plane, surfboard, or any similar device is required to wear a ski belt, ski jacket, or a Type I, II, or III U.S. Coast Guard approved personal flotation device.
Hawaii:	A hull serial number is required on every boat.
Idaho:	All motorboats exhaust must be muffled. When boat is used to tow water skiers or other such activities, there must be at least one other person other than the operator to act as observer of the person(s) being towed.
Illinois:	Fire extinguishers are required on all motorboats over 10 horsepower. Batteries must be covered.
Indiana:	No person shall operate a motorboat towing any water ski, water sled, aquaplane, or similar object, or any person there on, unless said motorboat is occupied by at least one other person whose sole duty and attention is given the object or person(s) being towed. All boats engines exhaust must be muffled. (Race boats exempted when engaged in racing.)
Iowa:	One additional person other than the operator who is competent to act as observer of the person(s) who is being towed while boat is being used to tow water skiers.
Kansas:	Any vessel used to tow a person on waterskis or similar devices must be equipped with a wide angle rear view mirror properly

14.I.(Continued)

placed to provide maximum vision, or in addition to the operator there must be an observer in the boat who is at least 12 years of age. All internal combustion engine exhaust must be muffled.

Kentucky: All motorboats are required to carry a bailer or pump and an anchor and anchor line. Class "A" boats are required to carry an oar or paddle. All motorboats must have exhaust muffled. Person(s) being towed on skis or other devices must wear a USCG approved Type I, II, or III PFD. Boats being used to tow skiers or other such activities must one additional person other than the operator on board to act as observer unless the boat is equipped with a wide angle mirror. The observer must be 12 years of age or older. When towing kites or similar airborn devices a mirror will suffice, observer must be on board.

Louisiana: Boats towing skiers must have observer aboard in addition to the operator.

Maine: None

Maryland: There must be a minimum of 2 people in a boat used for towing water skiers or other such activities the minimum age of which must be 12 years.

Massachusetts: Paddle, line, anchor, and bailer. All motorboats must carry a flashlight or lantern.

Michigan: All internal combustion engines must be muffled. All motorboats engaged in the propulsion of a person on waterskis, water sled, aquaplane, surfboard, or similar contrivance, shall be equipped with a 170 degree wide angle rear view mirror affixed in a manner as will permit the operator to observe the progress of the person being towed.

Minnesota: None

Mississippi: When water skiing there must be at least one other person other than the operator to act as observer of the water skiers. The observer must be 10 years age or older.

Missouri: None

Montana: No person may operate a vessel or motorboat on any waters of the state for the purpose of towing a person or persons on water skis,

14.I.(Continued)

	surfboards, or similar devices or other contrivance unless the motorboat or vessel operator is at least 12 years of age, and further providing that there is a second person, at least 12 years of age, in the vessel to act as observer to observe the persons being towed. Skiers being towed by watercraft must be wearing a life preserver, buoyant vest, or ski belt.
Nebraska:	All boats when engaged in water skiing and other such water activities engaged in towing person(s) or things behind the boat, must have at least one other person in the boat to act as observer of the person or object being towed. The observer must be 12 years of age or older.
Nevada:	None
New Hampshire:	All motorboats must have number plates mounted on boat. All boats with internal combustion engines must have the exhaust muffled. Fuel tank shut off valves must be installed on all fuel tanks with a capacity greater than 6 gallons. All exhaust discharge pipes must extend outside the hull, with connections suitable to withstand exhaust.
New Jersey:	Any boat being used to pull water skiers or aquaplane while underway must have at least one person other than the operator to act as observer of the skier. All internal combustion engine exhaust must be muffled.
New Mexico:	One oar or paddle, one bailer bucket of at least gallon capacity, length of stout line at least the length of the boat. All internal combustion engines must be muffled.
New York:	Motorboats used for water skiing must have one other person than the operator to act as observer of the person(s) being towed. All internal combustion engines exhaust must be muffled. Line and anchor. All motorboats over 18 feet in length must carry a distress flag and three red flares.
North Carolina:	While towing water skis or other similar activities the boat must be equipped with a rear view mirror to monitor the skier, or have an additional person in the boat other than the operator to monitor the skier. All internal combustion engines capable of running 4000 rpm with open air exhaust must be muffled.
North Dakota:	None

14.I.(Continued)

Ohio:	A person 12 years old or older, other than the operator must be in the boat to observe the progress of the skier while the skier is being towed. The skier must wear a Type I, II, or III USCG approved PFD. Line, anchor, and distress flag. Fire extinguisher must be carried on all motorboats (electric motorboats excepted).
Oklahoma:	The exhaust of every internal combustion engine must be muffled. No person shall operate a boat towing skiers or similar activities without having an additional person in the boat to act as observer.
Oregon:	There must be another person in the boat other than the operator when the boat is being used to tow water skiers and other such activities unless the boat is equipped with a curved rear view mirror.
Pennsylvania:	Internal combustion engine exhaust must be muffled. When boat is used to tow water skiers there must be an additional person other than the operator in the boat to act as observer of the person(s) being towed. Any person being towed by a boat engaged in water skiing or some such activities must wear a Type I, II, III, or IV PFD.
Rhode Island:	None
South Carolina:	Wide angle rear view mirror or observer required in any boat pulling a water skier. Water skiers are required to wear a PFD, ski belt, or similar device.
South Dakota:	No motorboat shall have in tow or otherwise be assisting a person on waterskis, aquaplane, or other similar device unless the boat is occupied by at least two competent persons or be equipped with a 160 degree wide angle mirror.
Tennessee:	None
Texas:	Motorboats involved in towing water skiers or other similar activities must have a mirror of a size no less than 4 inches from bottom to top or across from one side to the other. The mirror must be mounted firmly so as to give the operator a complete view beyond the rear of the boat.
Utah:	All vessels except those capable of being safely beached and all motorboats of class "II" and "III" shall be equipped with an anchor and line to securely anchor the vessel. Every motorboat of

14.I.(Continued)

class "A" or "I" shall have aboard at least one paddle or oar, capable of being used to maneuver the boat. Class "A" and "I" vessels also are required to have a bailing device. Class "II" and "III" vessels shall have an adequate means of pumping the bilges.

Vermont:	All motorboats must have the engine exhaust muffled.
Virginia:	All motorboats must have the engine exhaust muffled.
Washington:	All motor driven vessels shall use a muffler. No person shall operate a motorboat towing a water skier, surfboarder or any other similar activities unless there is another person in the boat other than the operator to act as an observer of the person(s) being towed, unless the boat is equipped with a wide angle rear view mirror.
West Virginia:	None
Wisconsin:	Battery covers are required on all storage batteries.
Wyoming:	Fire extinguishers are required on all watercraft over 16 feet.
Guam:	None
Puerto Rico:	None
Virgin Islands:	Line and anchor.

J. STATES WITH OPERATOR AGE RESTRICTIONS

Alabama:	Operator under 12 yrs. of age must have a boating safety certificate.
Alaska:	None
Arizona:	None
Arkansas:	Persons under twelve years of age may not operate a boat powered by more than ten horsepower except under the direct supervision of a parent, guardian, or other person over 17 years of age.
California:	None
Colorado:	None

14.J.(Continued)

Connecticut:	Operators under 16 yrs. of age need a boating safety certificate to operate over 5 h.p. alone.
Delaware:	None
D.C.:	Operators under 16 yrs. of age must have safety certificate.
Florida:	None
Georgia:	None
Hawaii:	None
Idaho:	None
Illinois:	Persons under 12 yrs. must be accompanied by someone over 16 yrs.
Indiana:	Persons under 14 yrs. must pass a boating course or be with an adult in order to operate over 10 h.p.
Iowa:	Persons under 12 yrs. must be accompanied by someone at least 18 yrs. of age to operate over 6 h.p.
Kansas:	Operators under 12 yrs. must be accompanied by someone over the age of 17.
Kentucky:	None
Louisiana:	None
Maine:	Persons under 12 yrs. must be accompanied by someone over the age of 16 to operate over 10 h.p.
Maryland:	An operator must be at least 12 yrs. of age before he may tow skiers.
Massachusetts:	None
Michigan:	Personsunder 12 yrs. must be accompanied by someone over 16 yrs. to operate over 6 h.p. Persons from 12 to 16 yrs. may operate over 6 h.p. alone if they have a safety certificate.

14.J.(Continued)

Minnesota:	Persons less than 13 years of age must be accompanied by someone at least 18 years of age at all times when operating a motorboat of more than 24 horsepower. Persons 13 through 17 years of age must either be accompanied by someone at least 18 years of age or possess a watercraft operators' permit from Minnesota or their state of residence. The owner of any watercraft found in violation of this law is subject to penalty.
Mississippi:	Persons under 12 yrs. must be accompanied by someone over 17 yrs. to operate over 10 h.p.
Missouri:	Persons under 12 yrs. must be accompanied by someone over 16 yrs. to operate over 7-1/2 h.p.
Montana:	No person less than twelve years of age may operate a vessel in any type of skiing operation.
Nebraska:	It is illegal for persons under the age of 14 years of age to operate a motorboat. It is illegal for a person under 12 years of age to act as observer when towing water skiers or similar activities.
Nevada:	None
New Hampshire:	Persons under 13 yrs. must be accompanied by an adult when operating a boat in excess of 25 h.p.
New Jersey:	Operator must be at least 13 yrs. of age to obtain outboard operators license required for non-tidal waters of the State. (16 yrs. for inboard operation.)
New Mexico:	None
New York:	Persons between the age of 10 and 16 must be accompanied by someone over 16 yrs. except if they have a safety certificate they may operate alone.
North Carolina:	None
North Dakota:	None
Ohio:	Operators under 12 yrs. of age must be supervised by someone over 16.
Oklahoma:	None

14.J.(Continued)

Oregon:	None
Pennsylvania:	None
Rhode Island:	None
South Carolina:	None
South Dakota:	None
Tennessee:	None
Texas:	None
Utah:	Operators under 16 yrs. of age must be accompanied by someone over 16.
Vermont:	None
Virginia:	None
Washington:	None
West Virginia:	None
Wisconsin:	(a) No person in charge or control of a boat shall authorize or knowingly permit the boat to be operated by any person who by reason of physical or mental disability is incapable of operating such boat under the prevailing circumstances. (b) No person under the age of 10 years may operate a motorboat. Persons at least 10 and less than 12 years of age may operate a motorboat only if they are either accompanied in the boat by a parent or guardian or a person at least 18 years of age designated by a parent or guardian. Persons at least 12 and less than 16 years of age may operate a motor of any horsepower, but only if they are either accompanied by a parent or guardian or a person at least 18 years of age designated by a parent or guardian, or in possession of a certificate issued under s. 30.74(1). Violations of this paragraph done with the knowledge of a parent or guardian shall be deemed a violation by the parent or guardian, and punishable under s. 30.80.
Wyoming:	None

14.J.(Continued)

Guam:	None
Puerto Rico:	None
Virgin Islands:	None

K. PENALTIES FOR VIOLATION OF STATE BOAT LAWS AND REGULATIONS

Federal Law or Regulation Violation Penalty – Up to $1,000.00 fine and/or up to 1 year imprisonment.

Alabama:	Misdemeanor – From $10.00 to $100.00 + costs for all violations.
Alaska:	Misdemeanor – Up to $500.00 and/or 6 months for all violations.
Arizona:	Misdemeanor – Up to $300.00 and/or 90 days.
Arkansas:	Misdemeanor – Numbering and equipment up to $50.00; livery and water skiing up to $100.00; reckless or negligent up to $500.00 and/or 6 months.
California:	Misdemeanor – Numbering and equipment up to $500.00 and/or 5 days; skiing up to $100.00; reckless or negligent up to $500.00 and/or 6 months.
Colorado:	Misdemeanor – Up to $25.00 for all violations.
Connecticut:	Misdemeanor – Numbering and equipment up to $25.00. Reckless or negligent up to $100.00.
Delaware:	Summary – From $25.00 to $500.00 or 10 days for all violations.
D.C.:	Misdemeanor – To $300.00 or ten days or both for each violation.
Florida:	Misdemeanor – 60 days jail and/or $500.00 fine.
Georgia:	Misdemeanor – No specific amount set.
Hawaii:	Misdemeanor – Up to $1,000.00 and/or 1 year and up to 2 years operator's privileges suspension.

14.K.(Continued)

Idaho:	Misdemeanor – Numbering and equipment up to $100.00 and/or 30 days and up to 2 years operator's privileges suspension. Up to $500.00 and/or 6 months for operating while priviliges are suspended.
Illinois:	Misdemeanor – Numbering and equipment $10.00 to $100.00; up to $500.00 and/or 90 days for operating while privileges suspended; reckless or negligent $50.00 to $500.00 and/or 30 days to 6 months and up to 2 years operator privileges suspension.
Indiana:	Misdemeanor – Violation of Regulations, 1st offense $1.00 to $10.00 and/or 30 days, 2nd- $25.00 to $100.00 and/or 30 days. Violation of Law, 1st offense $10.00 to $100.00 and/or 90 days-2nd offense $25.00 to $250.00 and/or 180 days.
Iowa:	Misdemeanor – Equipment and numbering up to $100.00 or 30 days; under influence of alcohol or drugs 1st offense $300.00 to $1,000.00 and/or 1 year; 2nd offense $500.00 to $1,000.00 and/or up to 3 years in penitentiary.
Kansas:	Misdemeanor – Equipment and numbering up to $50.00; livery and water skiing up to $100.00; reckless or negligent up to $500.00 and/or 6 months.
Kentucky:	Misdemeanor – From $15.00 to $100.00 for all violations.
Louisiana:	Misdemeanor – Numbering and equipment up to $25.00; livery operators up to $100.00; reckless or negligent up to $500.00 and/or 6 months. Also $1,000 and 1 year negligent homicide.
Maine:	Misdemeanor – From $10.00 to $500.00 and/or 90 days for all violations.
Maryland:	Misdemeanor-Up to $500.00 and 3 months for all violations.
Massachusetts:	Misdemeanor – Numbering and equipment up to $50.00; lifesaving violations from $10.00 to $50.00; reckless or operating or skiing under the influence of alcohol or drugs up to $500.00 and/or 6 months.
Michigan:	Misdemeanor – Numbering and equipment up to $25.00. Reckless or negligent up to $2,000 and/or 2 years.
Minnesota:	Misdemeanor – Up to $300.00 or 90 days for all violations, or both.

14.K.(Continued)

Mississippi:	Misdemeanor – Numbering and equipment $10.00 to $100.00. Reckless or negligent up to $100.00 and/or 30 days.
Missouri:	Misdemeanor – Numbering and equipment up to $100.00. Reckless, negligent or under the influence up to $500.00 and/or 6 months.
Montana:	Misdemeanor – From $10.00 to $500.00 and/or 30 days for all violations.
Nebraska:	Misdemeanor – Numbering and equipment $10.00 to $100.00 and/or 30 days; livery operators $20.00 to $100.00 and/or 30 days; reckless or negligent from $50.00 to $500.00 and/or 6 months.
Nevada:	Misdemeanor – No specific amount set.
New Hampshire:	Misdemeanor – Numbering and equipment up to $100.00 and/or 1 year. Reckless, negligent or under the influence up to $100.00 and/or 6 months; up to $1,000.00 and/or 5 years if death results.
New Jersey:	Misdemeanor – Up to $200 and/or 90 days for all violations.
New Mexico:	Misdemeanor – Up to $50 and/or 30 days for all violations.
New York:	Misdemeanor – Up to $50.00 and/or 90 days for all violations.
North Carolina:	Misdemeanor – Equipment and numbering up to $50.00; reckless, negligent or under the influence up to $500.00 and/or 6 months.
North Dakota:	Misdemeanor – Up to $100.00 and/or 30 days for all violations.
Ohio:	Misdemeanor – From $10.00 to $100.00 for all violations. Reckless or negligent causing death- 2nd degree manslaughter up to $500.00 and/or 20 years in penitentiary.
Oklahoma:	Misdemeanor – Numbering and equipment up to $50.00; livery and skiing up to $100.00; reckless, negligent or under the influence up to $500.00 and/or 6 months.
Oregon:	Misdemeanor – Numbering and capacity plate up to $50.00 and/or 30 days; speeding $50.00 and/or 30 days; equipment, negligent or reckless up to $100.00 and/or 90 days.
Pennsylvania:	Summary – From $5.00 to $100.00 or 30 days for all violations.

14.K.(Continued)

Rhode Island:	Misdemeanor – Numbering and equipment up to $50.00; livery and skiing up to $100.00; reckless or negligent up to $500.00 and/or 6 months.
South Carolina:	Misdemeanor – Numbering and equipment: fine not to exceed $100.00 or 30 days. Negligent operation: fine of $50.00 to $100.00 or 30 days and possible loss of boat operating privileges for a period of not more than two years.
South Dakota:	Misdemeanor – Numbering and equipment $10.00 to $100.00 and/or 30 days; reckless, negligent or under the influence $100.00 to $500.00 and/or 6 months.
Tennessee:	Misdemeanor – Numbering and equipment $10.00 to $50.00; reckless or negligent $50.00 to $500.00 and/or 6 months.
Texas:	Misdemeanor – Numbering and equipment up to $200.00; under the influence $50.00 to $500.00 and/or 6 months; reckless or negligent $25.00 to $500.00.
Utah:	Misdemeanor – No specific amount set.
Vermont:	Misdemeanor – Numbering and equipment up to $50.00; reckless, negligent or under the influence up to $300.00 and/or 3 months. (Death resulting, up to $2,000.00 and/or 5 years.)
Virginia:	Misdemeanor – Up to $50.00 for all violations.
Washington:	Misdemeanor – No specific amount set.
West Virginia:	Misdemeanor – From $10.00 to $100.00 except on federally owned waters from $20.00 to $300.00 for all violations. Using a light from a boat to locate game while armed $100.00 to $500.00 and 10 to 100 days.
Wisconsin:	Misdemeanor – Numbering and equipment up to $50.00 and/or 30 days, 1st offense; up to $100.00 and/or 90 days, 2nd offense; reckless, negligent or under the influence up to $200.00 and/or 6 months.
Wyoming:	Misdemeanor – Up to $100.00 and/or 30 days and up to 2 years suspension of operating privileges for all violations.
Guam:	Enforced by Coast Guard.

14.K.(Continued)

Puerto Rico:	Misdemeanor – Numbering/Equipment up to $50.00; livery/skiing up to $100.00; negligent or grossly negligent or under the influence up to $100.00 and/or sixty (60) days.
Virgin Islands:	Misdemeanor – Equipment and numbering up to $50.00; livery and skiing up to $100.00; reckless, negligent or under the influence up to $500.00 and/or 6 months.

CHAPTER 15: U.S. COAST GUARD AUXILIARY

A. BACKGROUND AND HISTORY

1. The U.S. Coast Guard Auxiliary was established by Congress in 1939 as a non-military, volunteer affiliate of the U.S. Coast Guard. It was originally called the Coast Guard Reserve and renamed the Coast Guard Auxiliary in 1941 when world conditions required Congress to establish a military reserve component for the Coast Guard. The Auxiliary's basic mission is to assist the Coast Guard in promoting safe boating.

B. PREREQUISITES FOR MEMBERSHIP

1. The prerequisites for membership are: must be a citizen of the U.S., or its territories or possessions; be at least 17 years of age; and own at least 25% interest in a boat, yacht, amateur radio station, or aircraft or have special qualifications desired by Auxiliary.

C. MEMBERSHIP QUALIFICATION

1. Qualification of Auxiliary members is regulated by the Commandant. Qualification procedures are promulgated by Coast Guard publications and Coast Guard approved qualification examinations are provided for each area of achievement. The qualification program is administered in each Coast Guard district by the district director of Auxiliary. At all achievement levels the Commandant's requirements are sufficiently pliable to provide for insertion of any special qualifications deemed necessary by the district commander. There are two basic levels of qualifications.

   a. **Basic Qualification**. Before an individual may become a basically qualified member, he must complete a course of instruction and pass an examination. Such areas as history and organization of the Coast Guard and the Auxiliary, seamanship, communications, search and rescue, basic piloting, Federal boating regulations, and administrative procedures are covered. Basic qualification does not make the member an expert in any phase, but does qualify him to participate in all Auxiliary functions, to wear the uniform, fly the Auxiliary ensign, and to pursue advanced study.

   b. **Advanced Qualifications**. After a member has met the basic qualifications he may elect to qualify in one of the Auxiliary's areas of advanced training. Of these there are three:

(1) **Instructor**. These Auxiliarists execute the Auxiliary's public education and member training programs.

(2) **Courtesy Examiner**. These Auxiliarists execute the Auxiliary's Courtesy Marine Examination program and perform vessel facility inspections.

(3) **Operations**. Auxiliarists who wish to participate in the operational area may qualify in any or all of six separate specialties:

- (a) Communications
- (b) Search and Rescue
- (c) Patrol Procedures
- (d) Seamanship
- (e) Piloting
- (f) Weather

2. The program is taught around operational specialty textbooks and training aids which are directed to knowledge areas prescribed by the Commandant and which bear his endorsement. The Coast Guard provides qualification examinations for each course in qualifying in all operational specialty courses, plus a seventh course in Auxiliary administration, the Auxiliarist advances to the coveted category AUXOP, the Auxiliary's most qualified member.

D. ADMINISTRATION OF THE AUXILIARY

1. Administration of the Coast Guard Auxiliary is vested in the Commandant of the Coast Guard. The basic publication by which this administration is carried out is the Auxiliary Manual, CG-305. At the Coast Guard Headquarters level an officer is assigned to act as Division Chief for Auxiliary Affairs under the Chief, Office of Boating Safety. This officer is referred to as the Chief Director, Auxiliary and administers the overall program for the Commandant and deals with policy matters affecting the Auxiliary as a whole.

2. Within each Coast Guard district the Auxiliary program is administered by the district commander through the district director of Auxiliary

15.D.2.(Continued)

(who is the branch chief for Auxiliary Affairs within the Boating Safety Division). This officer is directly concerned with the Auxiliarists within his district, interrelationships between the Auxiliary and other interests, and with maintaining the program standards promulgated by the Commandant.

3. While the Coast Guard is responsible for the overall administration of the Auxiliary, the specific accomplishment of stated missions rests as much as possible with the Auxiliary's own elected officers and staff. Such an approach builds responsibility on the part of those individuals and fosters greater pride among the membership in the success of the program. Top elected officers at the district level maintain close liaison with the Coast Guard director and receive necessary guidance from him.

4. The basic unit of the Auxiliary is the flotilla. A flotilla consists of 10 or more members who own facilities. A flotilla elects its two top officers. The district director can refer you to the flotilla closest to your area of operation and provide you with a copy of the district Auxiliary directory. When there are five or more flotillas in a given area an administrative unit called a DIVISION is formed. The "Division Board" which promotes activity among flotillas in the same area and with similar interests is composed of the respective flotilla commanders and two elected division officers. Senior officer is called the division captain. Division captains throughout the district in turn compose the "District Board" which is responsible for performance of all flotillas throughout the district. Some districts boards are also legal entities. A district commodore, a vice commodore, and one or more rear commodores are elected. These elected officers are approved for election by the district commander.

5. Uniforms, awards, and flags are prescribed for the Auxiliary by the Commandant. Refer to the Auxiliary Manual, CG-305 and the Auxiliary Operations Manual, COMDTINST M16798.3.

6. Specific questions regarding regulations or procedures should be referred to the Auxiliary Manual and/or District Director of Auxiliary.

E. PUBLIC EDUCATION (PEC)

1. Each year the public receives boating education from the Auxiliary. The only charge is for books and materials. The Auxiliary offers several courses to the public: Skipper's Outboard Special, 1 lesson; Basic Boating, 3 lessons; Sailing and Seamanship, 13 lessons; and Boating

Skills and Seamanship, 13 lessons. Courses are designed for the beginner and cover such subjects as aids to navigation, rules of the road, small boat maneuvering, charts and compass, and weather. Instructors are qualified by the Auxiliary before they are permitted to instruct. Public education has branched into television in many localities, and in several states, Auxiliary safe boating courses have been introduced into secondary schools. This program can make the work of enforcement and SAR personnel easier for the Coast Guard by providing a better educated and safer boating public. At the same time, Coast Guard boarding and law enforcement officers can assist the Auxiliary by determining the locations and times of such courses and recommending them to boaters they contact.

F. COURTESY MARINE EXAMINATION (CME)

1. Specially qualified members are authorized as courtesy examiners to conduct Courtesy Marine examinations (CME) on recreational boats when requested by the owner or operator. CME standards embrace all the safety requirements of Federal law, state law, and additional standards for safety which have been adopted by the Auxiliary, or imposed into Auxiliary requirements by the Coast Guard. No report is made to any law enforcement agency if a boat fails to pass. If the boat passes, it is awarded a distinctive decal, which signifies that the boat has met Auxiliary standards. This decal is honored by the Coast Guard and most states and will normally exempt the boat from routine boardings unless an obvious violation is evident.

2. What boats are eligible for a CME? All motorboats, sailboats, and documented yachts 65 feet or less used for pleasure may receive a Courtesy Marine Examination. Commercial fishing vessels and commercial party fishing vessels carrying 6 or less passengers may be examined. NO other vessel used commercially regardless of size may be examined. This includes livery boats. The owner or operator must be present during the examination. The standards for the CME Program, the procedures, and the standards for Facility Inspections are covered thoroughly in the COURTESY EXAMINERS MANUAL, COMDINST M16796.2 (old CG-289). The color of the CME decal is changed annually. An auxiliary facility must also be examined annually and display a current facility decal. All old decals must be removed before the current one is applied.

3. **Listed below are some advantages of the CME to the boatman:**

   a. He requests an examination of his boat from a knowledgable and experienced fellow boater. This provides an opportunity for the Examiner to pass along our state boating message.

   b. The Courtesy Examiner is not a law enforcement officer; no report of violations is made. The boater is advised of any deficiencies and offered advice on their correction. The examiner also offers advice on safe practices and provides a list of recommended optional safety equipment.

   c. The service is provided only upon the consent of the owner/operator, and is free.

4. **Advantages of CME to CG enforcement personnel:**

   a. The CME can reach vessels that the enforcement officer might not have an opportunity to board.

   b. The CME requirements extend far beyond the minimum Federal legal requirements. It considers not only equipment, but the boat's general condition as well.

   c. By promoting safer boats and safety practices, the program indirectly prevents accidents and makes the enforcement officer's job easier. The examiner can assist enforcement personnel by "passing the word" on new regulations and safety practices.

   d. The Auxiliary's standards are established by the Commandant in COMDINST M16796.2 (old CG-289) and exceed basic Federal legal requirements.

   e. Display of the CME decal indicates a boat which carries proper safety equipment and whose owner has exhibited his interest in safety afloat. He should not be boarded for enforcement of boat regulations unless an obvious violation or unsafe practice is observed. This is especially true of Auxiliary vessels (facilities) which have been required to pass an annual examination with extremely high standards.

G. OPERATIONS

1. The Auxiliary's operational work most frequently falls along two major avenues: **Search and Rescue** and **Patrol of Marine Events.**

   a. **Search and Rescue.** The Auxiliary is often called upon to perform assistance missions. The Auxiliarists usually operate under official Coast Guard orders in the performance of these missions. In some cases these patrols may be made under volunteer patrol authorization.

   b. **Patrol of Marine Events.** Auxiliary facilities manned by qualified Auxiliarists patrol numerous regattas. These patrols may be either under official orders or a volunteer patrol authorization. These patrols may be in conjunction with regular Coast Guard units, generally the case with large well-known regattas. Auxiliary regatta patrols may, however, be made without Coast Guard operational control. This very valuable function supplements Coast Guard forces for patrol and thereby limits the reduction in SAR readiness imposed by deploying a large number of regular Coast Guard units for regatta patrol.

H. STATUS OF AN AUXILIARIST "UNDER ORDERS"

1. If and when an Auxiliarist becomes properly qualified, he may be placed under orders. Further, if his vessel has passed an annual Facility Inspection he may, if he chooses, "offer it for use" to the Coast Guard. This would include "call-up" for emergency cases or assignment to routine regatta or safety patrols. Orders are issued to Auxiliarists as outlined in the District OPLAN. Frequently group commanders may have this call-up authority. In other districts, Auxiliary orders are issued only at the district level. Obviously, it is well for local commanders to become personally familiar with the nearby Auxiliarists and their capabilities. Still, what does it really mean when an Auxiliarist is **under orders**? It means the following:

   a. The Auxiliary vessel becomes a **Vessel of the United States** insofar as the Government assumes responsibility for the vessel against damage, loss or liability. (Without orders, on a volunteer patrol, that responsibility rests with the Auxiliarist.)

   b. He operates on Coast Guard radio frequencies in accordance with district COMPLAN.

c. The Auxiliarist may be reimbursed for certain actual necessary operating expenses while under orders.

2. **Being under orders DOES NOT mean the following:**

a. That he must unduly risk himself or his vessel.

b. That he is subject to UCMJ.

c. That he has any law enforcement authority whatsoever.

3. It should be stressed that an Auxiliarist NEED NOT be placed under official orders to engage in authorized Auxiliary activities, however, it is to his advantage.

I. ASSIGNMENT OF CG PERSONNEL TO AUXILIARY VESSELS

1. Frequently, particularly for regatta patrol, a Coast Guard officer or petty officer will be assigned to an Auxiliary vessel. HE IS PLACED ABOARD IN THIS CASE TO ENFORCE REGULATIONS. The Coast Guard ensign is flown from the vessel, but the authority does not extend to the Auxiliarist. The officer assigned DOES NOT assume command of the vessel.

J. RECOMMENDATIONS FOR COAST GUARD ENFORCEMENT PERSONNEL IN DEALING WITH AUXILIARY

1. Recommend Auxiliary public education classes to boaters contacted. Have schedules available if possible.

2. Recommend that vessels who have equipment violations (or are on the borderline) correct deficiencies and seek an Auxiliary Courtesy Marine Examination.

3. Do not request Auxiliarists to exceed their authority. Before working with them, become familiar with the Auxiliary Manual (CG-305).

4. Do not disparage the entire Auxiliary on the bsis of imprudent acts of individual Auxiliarists or units. Their failings are often reflections of insufficient instruction from the Coast Guard.

5. Refer any problems regarding Auxiliary to the district director of Auxiliary. You as Coast Guard officers and petty officers can exercise

15.J.5.(Continued)

no disciplinary action over Auxiliarists. The director can take corrective action if necessary.

K. HOW MAY THE BOATING SAFETY BOARDING OFFICER AND THE AUXILIARY WORK TOGETHER

1. If able and qualified, agree to serve as guest instructor occasionally either for public education courses or for member training.

2. Many Auxiliarists are active in the field of public relations. They can be of great assistance in bringing the message of boating safety to their community. They can also frequently arrange for you to speak before local organizations on boating safety.

3. Auxiliarists are usually eager to assist the Coast Guard. Their assistance can be especially valuable to you in your boating safety efforts. They ask only the Coast Guard's respect and recognition in return.

L. CHAPTER QUIZ

1. The Coast Guard Auxiliary was originally called the Coast Guard Reserve. TRUE/FALSE

2. Prerequisite(s) for membership in the Auxiliary is/are:

   a. U.S. citizen.

   b. A minimum of 17 years of age.

   c. Own at least 25% interest in a boat, yacht, amateur radio station, or aircraft, or have other special qualifications desired by the Auxiliary.

   d. All of the above.

3. The two levels of Auxiliary member qualification are:

   a. ___________

   b. ___________

4. A basically qualified member of the Auxiliary may elect to qualify in one of the 3 following advanced training areas:

   a. ____________

   b. ____________

   c. ____________

5. The Auxiliary's most qualified member category is a ____________ member awarded to Auxiliarists who complete the 6 separate operations specialties plus a seventh course in Auxiliary Administration.

6. An Auxiliarist onboard a Coast Guard patrol craft has similar law enforcement authority to that of the boarding officer. TRUE/FALSE

7. The standards for issuance of a CME decal are the same as for issuing the colored copy of a CG-4100 following a courtesy boarding. TRUE/FALSE

8. Coast Guard boarding officers may be assigned to Auxiliary vessels to enforce regulations. TRUE/FALSE

9. Auxiliary vessels may be assigned to carry out SAR missions. TRUE/FALSE

10. When under orders, the Auxiliarist is subject to the UCMJ. TRUE/FALSE

CHAPTER 16: BOATING ACCIDENTS

A. INTRODUCTION

1. This section contains instructions for reporting boating accidents and for conducting preliminary investigations. Certain boating accidents are **required** to be reported. The responsibility for reporting these accidents rests with the owner or operator of the vessel involved in the casualty. Further, certain boating accidents are required to be investigated by the Coast Guard. This investigative responsibility is a function delegated to the various Marine Safety Offices, District accident investigators, and Boating Safety Teams.

2. In addition to a Federal statute requiring certain vessel casualties to be investigated, another statute requires the Commandant of the Coast Guard to compile and publish statistics from Boating Accident Reports. By studying these accident and investigative reports, the Coast Guard determines the **causes** of accidents and casualties. Recommendations for preventative measures may then be made. This may entail the promulgation of regulations and manufacturer standards or publishing information to the boating public that will help reduce or prevent vessel casualties or accidents.

3. After a discussion of general terms, this section deals with boating accidents, boating accident statistics, reportable accidents and casualties, boating accident reporting requirements, reporting procedures, preparing the Coast Guard's Boating Accident Report form, and some basic information on boating accident investigation.

B. DEFINITION OF TERMS

1. So that we will not have to define certain terms each time we use them, we are providing here some definitions, as stated in the Federal Boat Safety Act of 1971.

    a. **Vessel** includes every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

    b. **Boating Accident** means a collision, grounding, sinking, or other casualty that involves a vessel, its equipment, or its appendages.

        (1) A vessel is considered to be involved in a boating accident whenever the occurrence results in damage

by or to the vessel or its equipment, injury or loss of life to any person, or the disappearance of any person from on board under circumstances which indicate the possibility of death or injury. A boating accident includes, but is not limited to, a vessel's capsizing, collision, foundering, flooding, fire explosion, and disappearance other than by theft.

c. A **documented yacht** is a vessel 5 net tons or over, used exclusively for pleasure, owned by a citizen of the United States, and registered with the Coast Guard.

C. STATISTICS

1. There are about 5,500 boating accidents reported yearly involving about 7,000 vessels. Yearly approximately 1,300 fatalities are reported along with about twelve million dollars in property damage. CG-357 is published annually and prints the statistical information taken from all reported boating accidents.

D. REPORTABLE ACCIDENTS AND CASUALTIES

1. A reportable **boating accident** is any accident that involves a vessel used by its operator for recreational purposes or that is required to be numbered (including those documented for pleasure), except for those vessels required to have a Certificate of Inspection, which results in any one or more of the following:

   a. A person dies;

   b. A person is injured and requires medical treatment beyond first aid;

   c. Damage to the vessel totals more than $200.00 or there is a complete loss of vessel; or

   d. A person disappears from the vessel under circumstances that indicate death or injury.

QUESTION:	If two vessels were involved in a collision and each vessel received $125.00 damage, would this be a reportable accident?
ANSWER:	Yes.* The total damage to both vessels is more than $200.00 so a report is required from each vessel.

16.D.1.d.(Continued)

Some accidents which are not considered reportable boating accidents are:

1. A person dies in an "ice boat" accident. An ice boat is not a vessel.
2. A person drowns jumping from a moored raft used as a swimming platform.

E. REPORTING REQUIREMENTS

1. The operator of a vessel involved in a reportable boating accident is required to submit a written report of the incident within 48 hours of the occurrence if a person dies within 24 hours of the occurrence; within 48 hours of the occurrence if a person receives medical treatment beyond first aid or disappears from a vessel; and within 10 days after any other type of occurrence.

2. The **operator** of a vessel involved in a reportable boating accident is responsible for submitting the report. When the operator is unable to submit the report, then the **owner** shall submit it.

QUESTION: If a boating accident occurred and one person on boat "A" was killed, but on boat "B" only $200 damage resulted, how soon would the report have to be submitted?

ANSWER: The reports must be submitted from both vessels within 48 hours because the accident resulted in a death.

F. REPORTING PROCEDURES

1. Whenever a boating accident has occurred, the operator of the vessel involved is required to submit a written report to the state where the casualty occurred if that state has an approved numbering system. The operator must send the report to the Coast Guard if the state does not have an approved numbering system. If the vessel is documented and used for pleasure only the same reporting requirements as stated above apply. Documented vessels used for commercial purposes must file marine casualty reports with the Marine Safety Office nearest the location of the accident.

2. States with approved numbering systems furnish the Coast Guard with a copy of each boating accident report submitted in accordance with their reporting requirements, which must be at least as strict as the

16.F.2.(Continued)

Federal requirements. Some variations in reporting requirements among the states do exist, however.

3. A boating accident report may be submitted in written narrative form, on a state boating accident report form like that shown in figure 16-3, or on the Coast Guard Boating Accident Report (CG-3865) shown in figure 16-1. A documented commercial vessel must submit its report on a Report of Vessel Casualty or Accident (CG-2692) or on the Report of Personal Injury or Loss of Life (CG-924E), shown in figures 16-9, 16-10 and 16-7, 16-8 respectively.

4. If a written report is submitted in lieu of the prescribed form, the following information must be included:

    a. Numbers and names of each vessel involved.

    b. Name and address of each owner of each vessel involved.

    c. Name of the nearest city or town, the country, the state, and the body of water.

    d. Time and date the casualty or accident occurred.

    e. Location on the water.

    f. Visibility, weather, and water conditions.

    g. Estimated air and water temperatures.

    h. Name, address, age (or date of birth), telephone number, vessel operating experience, and boating safety training of the operator making the report.

    i. Name and address of each operator of each vessel involved.

    j. Number of persons on board or towed on skis by each vessel.

    k. Name, address, and date of birth of each person injured or killed.

    l. Cause of each death.

    m. Weather forecasts available to, and weather reports used by, the operator before and during the use of the vessel.

n. Name and address of each owner of property involved.

o. Availability and use of personal flotation devices.

p. Type and amount of each fire extinguisher used.

q. Nature and extent of each injury.

r. Description of all property damage and vessel damage with an estimate of the cost of all repairs.

s. Description of each equipment failure that caused or contributed to the cause of the casualty.

t. Description of the vessel casualty or accident.

u. Type of vessel operation (cruising, drifting, fishing, hunting, skiing, racing, or other), and the type of accident (capsizing, sinking, fire, or explosion, or other).

v. Opinion of the person making the report as to the cause of the casualty.

w. Make, model, type (open, cabin, house, or other), beam width at widest point, length, depth from transom to keel, horsepower, propulsion (outboard, inboard, inboard-outdrive), (wood, steel, aluminum, plastic, fiberglass, or other) and year built (model year) of the reporting operator's vessel.

x. Name, address, and telephone number of each witness.

y. Manufacturer's hull identification number, if any, of the reporting operator's vessel.

z. Name, address, and telephone number of the person submitting the report.

5. To accomplish the effective flow of boating accident reports to Coast Guard Headquarters, designated Coast Guard officers perform duties as liaison officers for specified States. Usually the district in which the state capital is located is the liaison authority for that state. A copy of each boating accident report submitted to a state must be forwarded by the state to the appropriate Coast Guard liaison officer. The Coast Guard District Boating Accident Coordinator is then responsible for

16.F.5.(Continued)

insuring the completeness of these reports and forwarding these accident reports to Coast Guard Headquarters for review and statistical processing.

6. Coast Guard Headquarters processes each accident report and charges each to the state in which the accident occurred. Problems may arise when a boat numbered in one state is involved in an accident in another state. The Federal law says "The state shall require that reports be made to it of accidents involving vessels under their jurisdiction...." As a matter of practice, the Coast Guard is interested only in receiving an accident report on each vessel involved in a boating accident, regardless of the source.

QUESTION:	If a boating accident occurs in North Carolina, and one boat is registered in Indiana and the other in South Carolina, where would the boating accident report be sent?
ANSWER:	North Carolina.

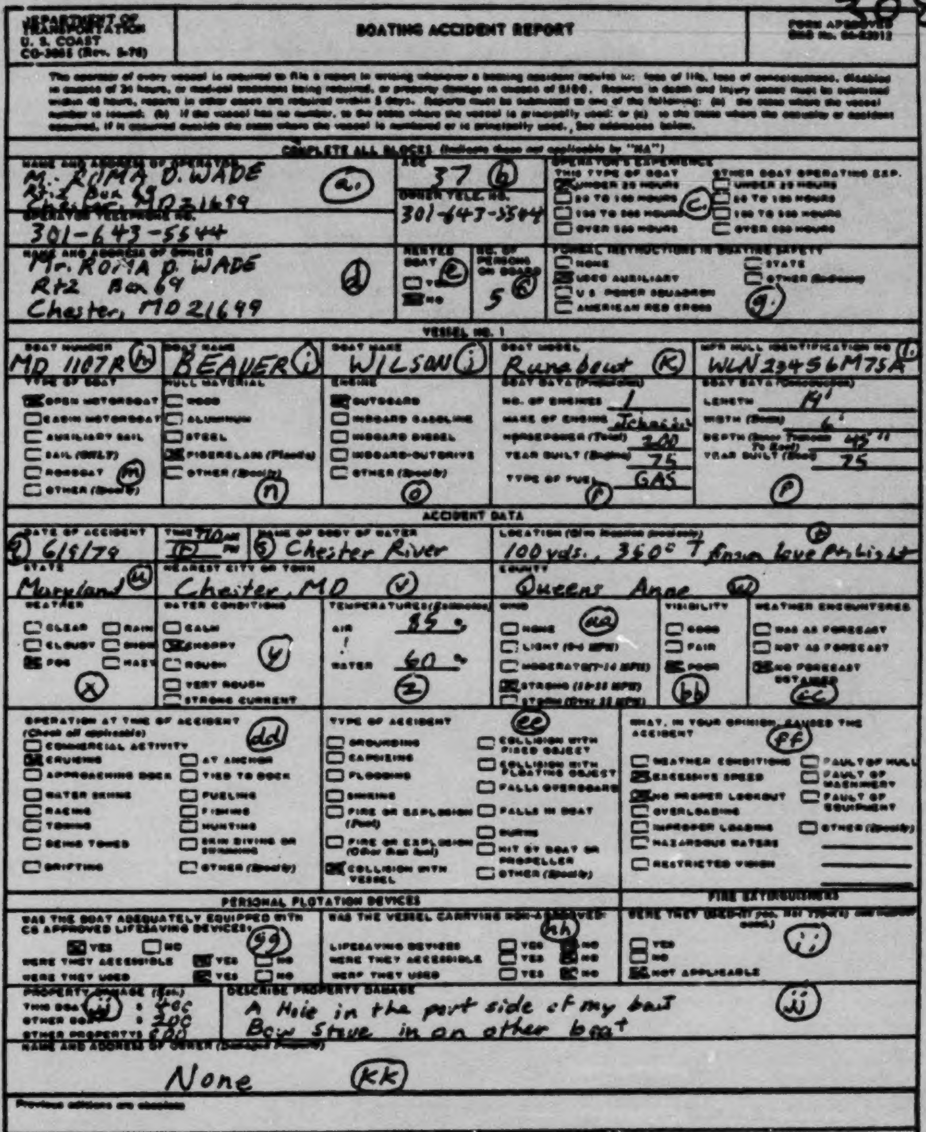
G. PREPARATION OF BOATING ACCIDENT REPORT (CG-3865)

1. While the parties involved in an accident are responsible for filing the proper reports, you, as a boating safety officer, may be called upon to assist in properly preparing the form, particularly the CG-3865. Therefore, the following information is provided to help you better understand this form. Figure 16-1 illustrates the front and reverse sides of the Boating Accident Report (CG-3865). Follow along with Figure 16–1/2 as we explain the information required in each block on the form.

a. NAME AND ADDRESS OF OPERATOR

(1) List the operator's full name and address, including the zip code and telephone number. If the operator is residing at a vacation residence, obtain his permanent address as well.

16.G.1.a.(1)(Continued)



DEPARTMENT OF TRANSPORTATION
U. S. COAST GUARD
CG-3865 (Rev. 5-76)

BOATING ACCIDENT REPORT

FORM APPROVED

COMPLETE ALL BLOCKS (Indicate those not applicable by "NA")

NAME AND ADDRESS OF OPERATOR: M. ROMA D. WADE Rt 2 Box 69 Chester, MD 21649 (a.)

OPERATOR TELEPHONE NO.: 301-643-5544

AGE: 37 (b)

OWNER TELE. NO.: 301-643-5544

OPERATOR'S EXPERIENCE (c.)
THIS TYPE OF BOAT: ☒ UNDER 20 HOURS ☐ 20 TO 100 HOURS ☐ 100 TO 500 HOURS ☐ OVER 500 HOURS
OTHER BOAT OPERATING EXP.: ☐ UNDER 20 HOURS ☐ 20 TO 100 HOURS ☐ 100 TO 500 HOURS ☐ OVER 500 HOURS

NAME AND ADDRESS OF OWNER: Mr. ROMA D. WADE Rt2 Box 69 Chester, MD 21649 (d)

RENTED BOAT (e): ☐ YES ☒ NO

NO. OF PERSONS ON BOARD: 5 (f)

FORMAL INSTRUCTIONS IN BOATING SAFETY (g.): ☐ NONE ☒ USCG AUXILIARY ☐ U.S. POWER SQUADRON ☐ AMERICAN RED CROSS ☐ STATE ☐ OTHER (Specify)

VESSEL NO. 1

BOAT NUMBER: MD 1107R (h)
BOAT NAME: BEAVER (i)
BOAT MAKE: WILSON (j)
BOAT MODEL: Runabout (k)
MFR HULL IDENTIFICATION NO.: WLN23456M75A (l)

TYPE OF BOAT (m): ☒ OPEN MOTORBOAT ☐ CABIN MOTORBOAT ☐ AUXILIARY SAIL ☐ SAIL (ONLY) ☐ ROWBOAT ☐ OTHER (Specify)

HULL MATERIAL (n): ☐ WOOD ☐ ALUMINUM ☐ STEEL ☒ FIBERGLASS (Plastic) ☐ OTHER (Specify)

ENGINE (o): ☒ OUTBOARD ☐ INBOARD GASOLINE ☐ INBOARD DIESEL ☐ INBOARD-OUTDRIVE ☐ OTHER (Specify)

BOAT DATA (Propulsion) (p): NO. OF ENGINES 1; MAKE OF ENGINE Johnson; HORSEPOWER (Total) 200; YEAR BUILT (Engine) 75; TYPE OF FUEL GAS

BOAT DATA (Construction) (p): LENGTH 14'; WIDTH (Beam) 6'; DEPTH (Inner Transom To Keel) 45"; YEAR BUILT (Boat) 75

ACCIDENT DATA

DATE OF ACCIDENT: (q) 6/9/79
TIME: 7:10 pm (r)
NAME OF BODY OF WATER: (s) Chester River
LOCATION: 100 yds., 360° T from Love Pt Light (t)
STATE: Maryland (u)
NEAREST CITY OR TOWN: Chester, MD (v)
COUNTY: Queens Anne (w)

WEATHER (x): ☐ CLEAR ☐ CLOUDY ☒ FOG ☐ RAIN ☐ SNOW ☐ HAZY

WATER CONDITIONS (y): ☐ CALM ☒ CHOPPY ☐ ROUGH ☐ VERY ROUGH ☐ STRONG CURRENT

TEMPERATURES: AIR 85 °; WATER 60 ° (z)

WIND (aa): ☐ NONE ☐ LIGHT ☐ MODERATE ☒ STRONG ☐ STORM

VISIBILITY (bb): ☐ GOOD ☐ FAIR ☒ POOR

WEATHER ENCOUNTERED (cc): ☐ WAS AS FORECAST ☐ NOT AS FORECAST ☒ NO FORECAST OBTAINED

OPERATION AT TIME OF ACCIDENT (Check all applicable) (dd): ☐ COMMERCIAL ACTIVITY ☒ CRUISING ☐ APPROACHING DOCK ☐ WATER SKIING ☐ RACING ☐ TOWING ☐ BEING TOWED ☐ DRIFTING ☐ AT ANCHOR ☐ TIED TO DOCK ☐ FUELING ☐ FISHING ☐ HUNTING ☐ SKIN DIVING OR SWIMMING ☐ OTHER (Specify)

TYPE OF ACCIDENT (ee): ☐ GROUNDING ☐ CAPSIZING ☐ FLOODING ☐ SINKING ☐ FIRE OR EXPLOSION (Fuel) ☐ FIRE OR EXPLOSION (Other than fuel) ☒ COLLISION WITH VESSEL ☐ COLLISION WITH FIXED OBJECT ☐ COLLISION WITH FLOATING OBJECT ☐ FALLS OVERBOARD ☐ FALLS IN BOAT ☐ BURNS ☐ HIT BY BOAT OR PROPELLER ☐ OTHER (Specify)

WHAT, IN YOUR OPINION, CAUSED THE ACCIDENT (ff): ☐ WEATHER CONDITIONS ☒ EXCESSIVE SPEED ☒ NO PROPER LOOKOUT ☐ OVERLOADING ☐ IMPROPER LOADING ☐ HAZARDOUS WATERS ☐ RESTRICTED VISION ☐ FAULT OF HULL ☐ FAULT OF MACHINERY ☐ FAULT OF EQUIPMENT ☐ OTHER (Specify)

PERSONAL FLOTATION DEVICES

WAS THE BOAT ADEQUATELY EQUIPPED WITH CG APPROVED LIFESAVING DEVICES? (gg) ☒ YES ☐ NO
WERE THEY ACCESSIBLE ☒ YES ☐ NO
WERE THEY USED ☒ YES ☐ NO

WAS THE VESSEL CARRYING NON-APPROVED: (hh)
LIFESAVING DEVICES ☐ YES ☒ NO
WERE THEY ACCESSIBLE ☐ YES ☒ NO
WERE THEY USED ☐ YES ☒ NO

FIRE EXTINGUISHERS

WERE THEY USED? (ii) ☐ YES ☐ NO ☒ NOT APPLICABLE

PROPERTY DAMAGE (Est.) (jj)
THIS BOAT $ 400
OTHER BOAT $ 300
OTHER PROPERTY $ 200

DESCRIBE PROPERTY DAMAGE: A Hole in the port side of my boat Bow Stove in on other boat (jj)

NAME AND ADDRESS OF OWNER (Damaged Property): None (kk)

Previous editions are obsolete

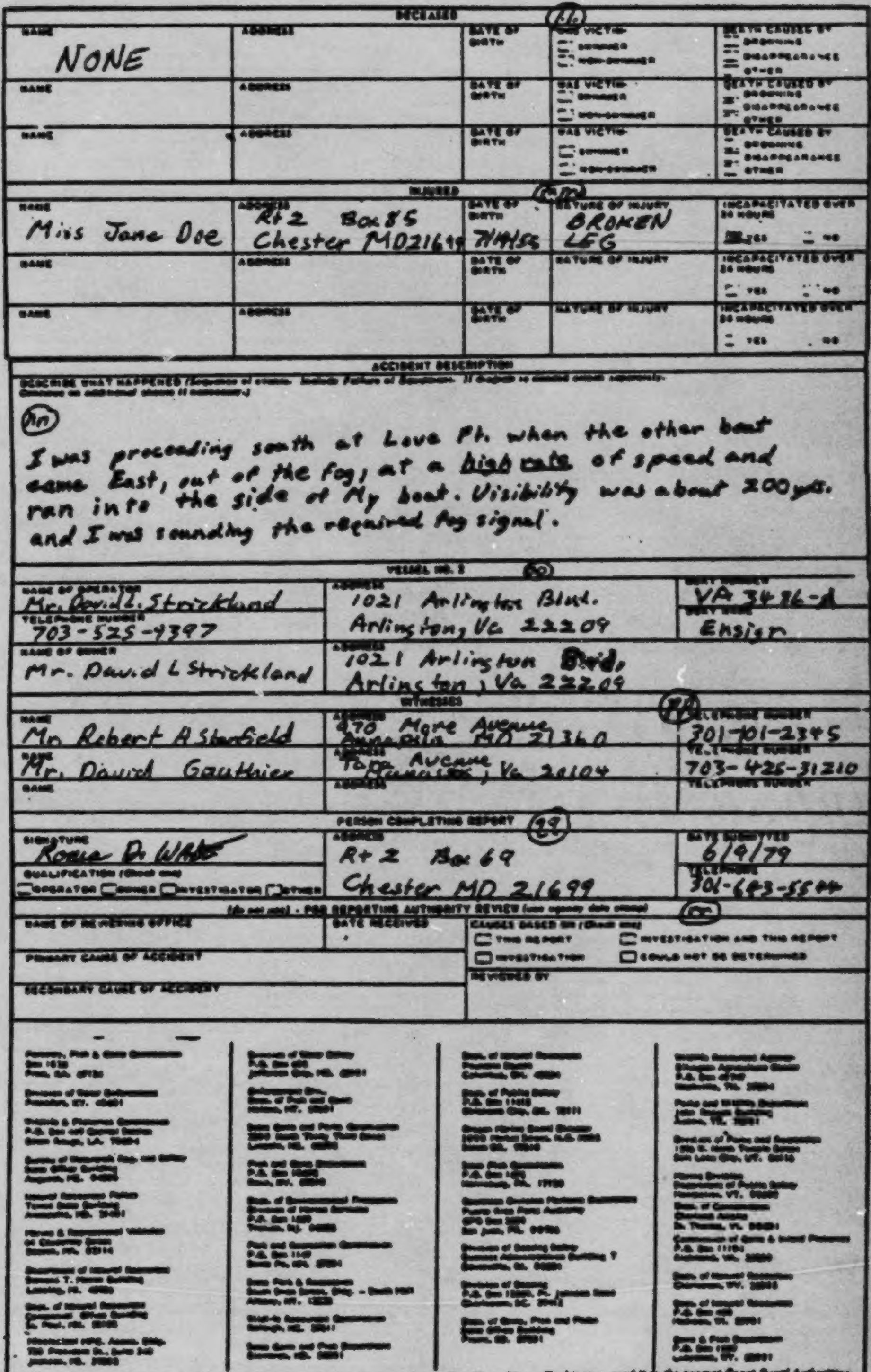
PRIVACY ACT STATEMENT

ADDRESSES OF STATE BOATING AUTHORITIES

CONTINUED ON REVERSE

Figure 16–1

16.G.1.a.(1)(Continued)



DECEASED (66)

NAME: NONE
ADDRESS:
DATE OF BIRTH:
WAS VICTIM- ☐ SWIMMER ☐ NON-SWIMMER
DEATH CAUSED BY ☐ DROWNING ☐ DISAPPEARANCE ☐ OTHER

NAME:
ADDRESS:
DATE OF BIRTH:
WAS VICTIM- ☐ SWIMMER ☐ NON-SWIMMER
DEATH CAUSED BY ☐ DROWNING ☐ DISAPPEARANCE ☐ OTHER

NAME:
ADDRESS:
DATE OF BIRTH:
WAS VICTIM- ☐ SWIMMER ☐ NON-SWIMMER
DEATH CAUSED BY ☐ DROWNING ☐ DISAPPEARANCE ☐ OTHER

INJURED

NAME: Miss Jane Doe
ADDRESS: Rt 2 Box 85 Chester MD 21699
DATE OF BIRTH: 7/14/52
NATURE OF INJURY: BROKEN LEG
INCAPACITATED OVER 24 HOURS ☒ YES ☐ NO

NAME:
ADDRESS:
DATE OF BIRTH:
NATURE OF INJURY:
INCAPACITATED OVER 24 HOURS ☐ YES ☐ NO

NAME:
ADDRESS:
DATE OF BIRTH:
NATURE OF INJURY:
INCAPACITATED OVER 24 HOURS ☐ YES ☐ NO

ACCIDENT DESCRIPTION

DESCRIBE WHAT HAPPENED (Sequence of events. Include Failure of Equipment. If diagram is needed attach separately. Continue on additional sheets if necessary.)

I was proceeding south at Love Pt. when the other boat came East, out of the fog, at a high rate of speed and ran into the side of My boat. Visibility was about 200 yds. and I was sounding the required fog signal.

VESSEL NO. 2

NAME OF OPERATOR: Mr. David L. Strickland
TELEPHONE NUMBER: 703-525-4397
ADDRESS: 1021 Arlington Blvd. Arlington, Va 22209
BOAT NUMBER: VA 3496-A
BOAT NAME: Ensign
NAME OF OWNER: Mr. David L Strickland
ADDRESS: 1021 Arlington Blvd, Arlington, Va 22209

WITNESSES

NAME: Mr. Robert A Stanfield
ADDRESS: 470 More Avenue Annapolis MD 21360
TELEPHONE NUMBER: 301-101-2345

NAME: Mr. David Gauthier
ADDRESS: Tapa Avenue Manassas, Va 20104
TELEPHONE NUMBER: 703-425-31210

NAME:
ADDRESS:
TELEPHONE NUMBER:

PERSON COMPLETING REPORT (99)

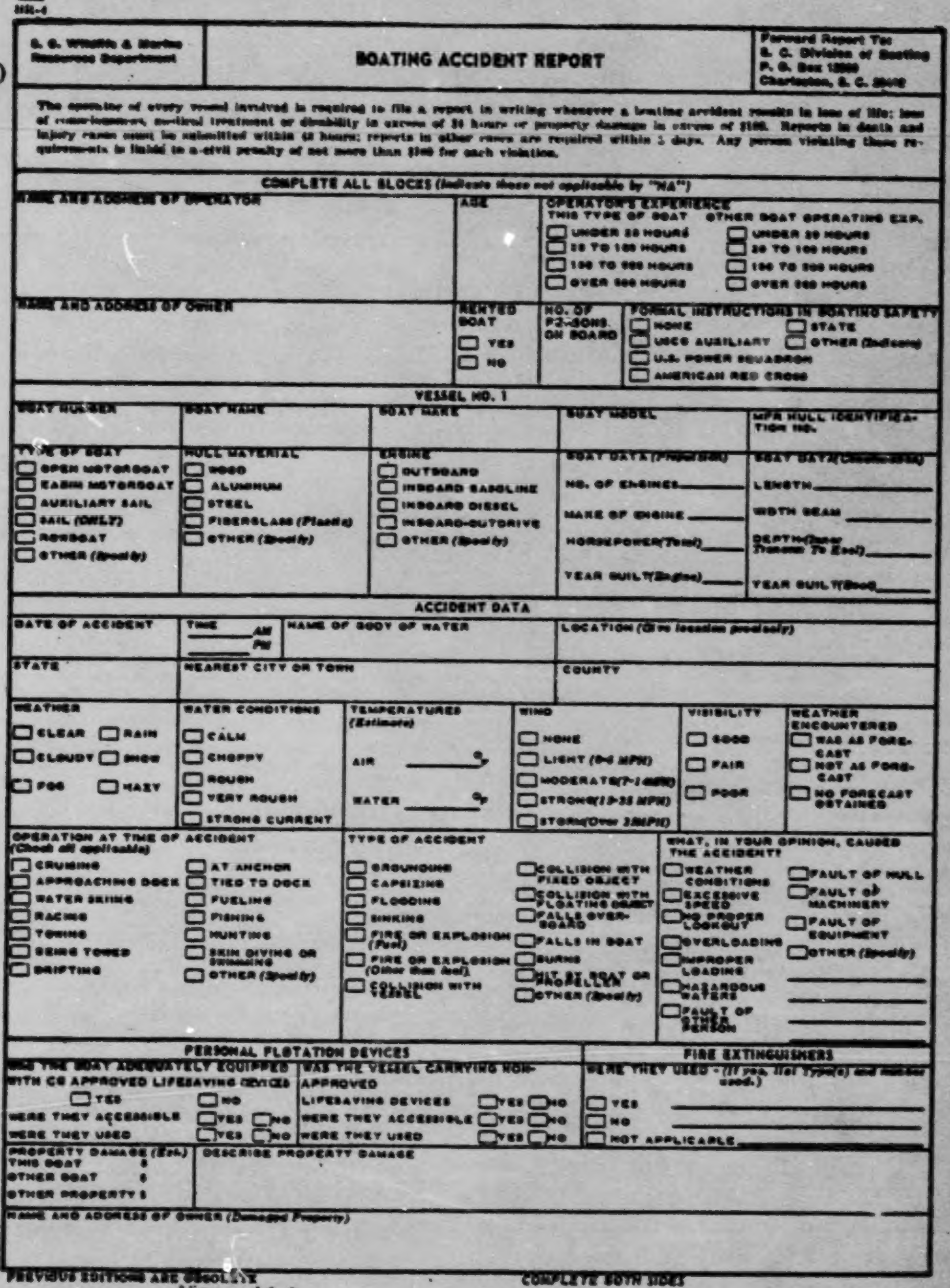
SIGNATURE: Rosie D. Wate
QUALIFICATION (Check one) ☐ OPERATOR ☐ OWNER ☐ INVESTIGATOR ☐ OTHER
ADDRESS: Rt 2 Box 69 Chester MD 21699
DATE SUBMITTED: 6/9/79
TELEPHONE: 301-643-5544

(Do not use) - FOR REPORTING AUTHORITY REVIEW (use agency date stamp)

NAME OF REVIEWING OFFICE:
DATE RECEIVED:
CAUSES BASED ON (Check one) ☐ THIS REPORT ☐ INVESTIGATION AND THIS REPORT ☐ INVESTIGATION ☐ COULD NOT BE DETERMINED
PRIMARY CAUSE OF ACCIDENT:
SECONDARY CAUSE OF ACCIDENT:
REVIEWED BY:

Figure 16–2

16.G.1.a.(1)(Continued)



[illegible]

S. C. Wildlife & Marine Resources Department

BOATING ACCIDENT REPORT

Forward Report To:
S. C. Division of Boating
P. O. Box 12559
Charleston, S. C. 29412

The operator of every vessel involved is required to file a report in writing whenever a boating accident results in loss of life; loss of consciousness, medical treatment or disability in excess of 24 hours or property damage in excess of $100. Reports in death and injury cases must be submitted within 48 hours; reports in other cases are required within 5 days. Any person violating these requirements is liable to a civil penalty of not more than $100 for each violation.

COMPLETE ALL BLOCKS *(Indicate those not applicable by "NA")*

NAME AND ADDRESS OF OPERATOR

AGE

OPERATOR'S EXPERIENCE

THIS TYPE OF BOAT
- ☐ UNDER 20 HOURS
- ☐ 20 TO 100 HOURS
- ☐ 100 TO 500 HOURS
- ☐ OVER 500 HOURS

OTHER BOAT OPERATING EXP.
- ☐ UNDER 20 HOURS
- ☐ 20 TO 100 HOURS
- ☐ 100 TO 500 HOURS
- ☐ OVER 500 HOURS

NAME AND ADDRESS OF OWNER

RENTED BOAT ☐ YES ☐ NO

NO. OF PERSONS ON BOARD

FORMAL INSTRUCTIONS IN BOATING SAFETY
- ☐ NONE
- ☐ USCG AUXILIARY
- ☐ U.S. POWER SQUADRON
- ☐ AMERICAN RED CROSS
- ☐ STATE
- ☐ OTHER (Indicate)

VESSEL NO. 1

BOAT NUMBER

BOAT NAME

BOAT MAKE

BOAT MODEL

MFR HULL IDENTIFICATION NO.

TYPE OF BOAT
- ☐ OPEN MOTORBOAT
- ☐ CABIN MOTORBOAT
- ☐ AUXILIARY SAIL
- ☐ SAIL (ONLY)
- ☐ ROWBOAT
- ☐ OTHER *(Specify)*

HULL MATERIAL
- ☐ WOOD
- ☐ ALUMINUM
- ☐ STEEL
- ☐ FIBERGLASS *(Plastic)*
- ☐ OTHER *(Specify)*

ENGINE
- ☐ OUTBOARD
- ☐ INBOARD GASOLINE
- ☐ INBOARD DIESEL
- ☐ INBOARD-OUTDRIVE
- ☐ OTHER *(Specify)*

BOAT DATA *(Propulsion)*

NO. OF ENGINES ______

MAKE OF ENGINE ______

HORSEPOWER(Total) ______

YEAR BUILT(Engine) ______

BOAT DATA *(Construction)*

LENGTH ______

WIDTH BEAM ______

DEPTH(Inner Transom To Keel) ______

YEAR BUILT(Boat) ______

ACCIDENT DATA

DATE OF ACCIDENT

TIME ______ AM ______ PM

NAME OF BODY OF WATER

LOCATION *(Give location precisely)*

STATE

NEAREST CITY OR TOWN

COUNTY

WEATHER
- ☐ CLEAR
- ☐ CLOUDY
- ☐ FOG
- ☐ RAIN
- ☐ SNOW
- ☐ HAZY

WATER CONDITIONS
- ☐ CALM
- ☐ CHOPPY
- ☐ ROUGH
- ☐ VERY ROUGH
- ☐ STRONG CURRENT

TEMPERATURES *(Estimate)*

AIR ______ °F

WATER ______ °F

WIND
- ☐ NONE
- ☐ LIGHT *(0-6 MPH)*
- ☐ MODERATE*(7-14 MPH)*
- ☐ STRONG*(15-25 MPH)*
- ☐ STORM*(Over 25MPH)*

VISIBILITY
- ☐ GOOD
- ☐ FAIR
- ☐ POOR

WEATHER ENCOUNTERED
- ☐ WAS AS FORECAST
- ☐ NOT AS FORECAST
- ☐ NO FORECAST OBTAINED

OPERATION AT TIME OF ACCIDENT *(Check all applicable)*
- ☐ CRUISING
- ☐ APPROACHING DOCK
- ☐ WATER SKIING
- ☐ RACING
- ☐ TOWING
- ☐ BEING TOWED
- ☐ DRIFTING
- ☐ AT ANCHOR
- ☐ TIED TO DOCK
- ☐ FUELING
- ☐ FISHING
- ☐ HUNTING
- ☐ SKIN DIVING OR SWIMMING
- ☐ OTHER *(Specify)*

TYPE OF ACCIDENT
- ☐ GROUNDING
- ☐ CAPSIZING
- ☐ FLOODING
- ☐ SINKING
- ☐ FIRE OR EXPLOSION *(Fuel)*
- ☐ FIRE OR EXPLOSION *(Other than fuel)*
- ☐ COLLISION WITH VESSEL
- ☐ COLLISION WITH FIXED OBJECT
- ☐ COLLISION WITH FLOATING OBJECT
- ☐ FALLS OVERBOARD
- ☐ FALLS IN BOAT
- ☐ BURNS
- ☐ HIT BY BOAT OR PROPELLER
- ☐ OTHER *(Specify)*

WHAT, IN YOUR OPINION, CAUSED THE ACCIDENT?
- ☐ WEATHER CONDITIONS
- ☐ EXCESSIVE SPEED
- ☐ NO PROPER LOOKOUT
- ☐ OVERLOADING
- ☐ IMPROPER LOADING
- ☐ HAZARDOUS WATERS
- ☐ FAULT OF OTHER PERSON
- ☐ FAULT OF HULL
- ☐ FAULT OF MACHINERY
- ☐ FAULT OF EQUIPMENT
- ☐ OTHER *(Specify)*

______

______

______

PERSONAL FLOTATION DEVICES

WAS THE BOAT ADEQUATELY EQUIPPED WITH CG APPROVED LIFESAVING DEVICES ☐ YES ☐ NO

WERE THEY ACCESSIBLE ☐ YES ☐ NO

WERE THEY USED ☐ YES ☐ NO

WAS THE VESSEL CARRYING NON-APPROVED

LIFESAVING DEVICES ☐ YES ☐ NO

WERE THEY ACCESSIBLE ☐ YES ☐ NO

WERE THEY USED ☐ YES ☐ NO

FIRE EXTINGUISHERS

WERE THEY USED - *(If yes, list Type(s) and number used.)*
- ☐ YES ______
- ☐ NO ______
- ☐ NOT APPLICABLE ______

PROPERTY DAMAGE *(Est.)*

THIS BOAT $

OTHER BOAT $

OTHER PROPERTY $

DESCRIBE PROPERTY DAMAGE

NAME AND ADDRESS OF OWNER *(Damaged Property)*

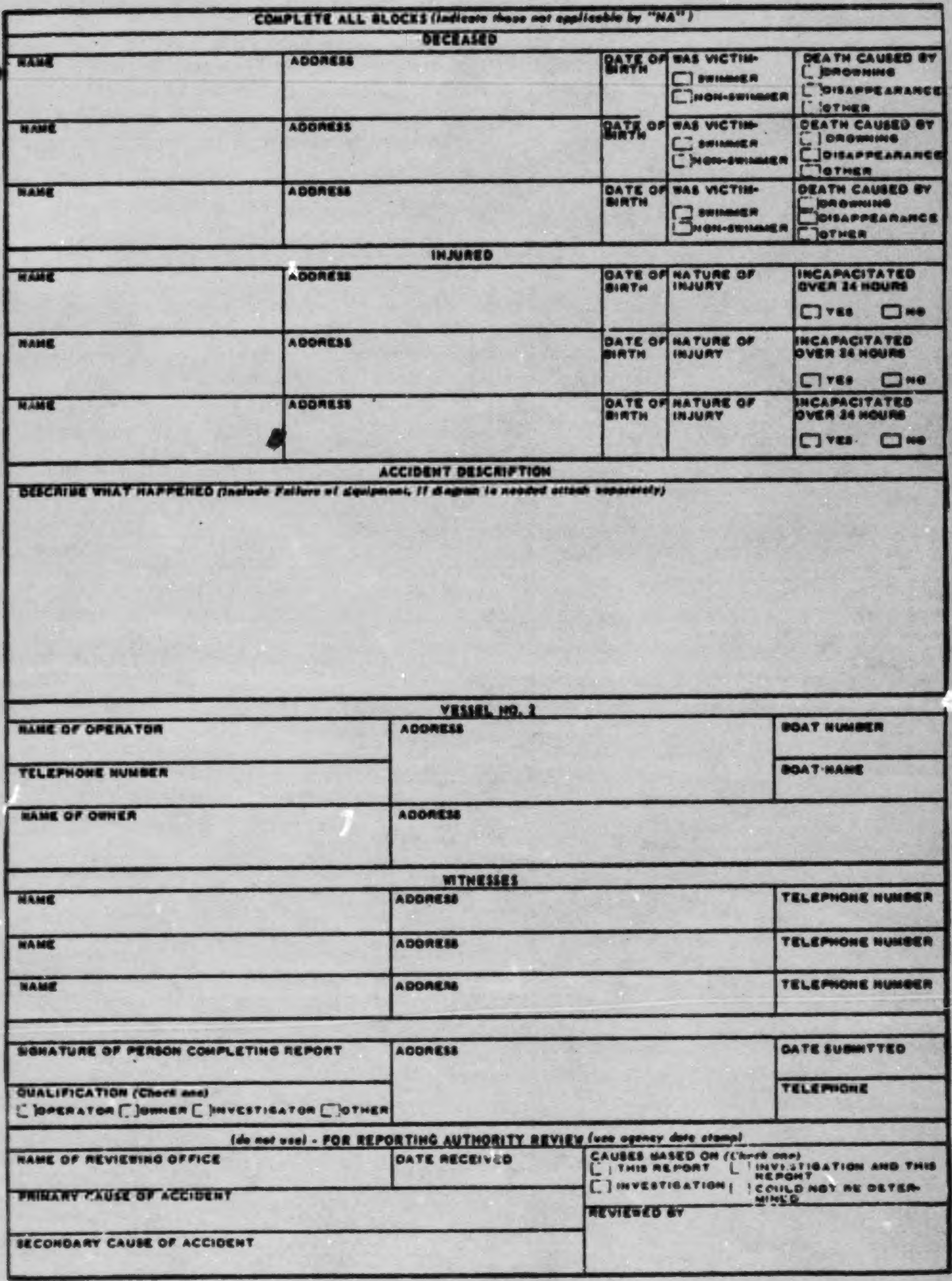
PREVIOUS EDITIONS ARE OBSOLETE

COMPLETE BOTH SIDES

Figure 16–3

311

16.G.1.a.(1)(Continued)



COMPLETE ALL BLOCKS (indicate those not applicable by "NA")

DECEASED

NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- ☐ SWIMMER ☐ NON-SWIMMER	DEATH CAUSED BY ☐ DROWNING ☐ DISAPPEARANCE ☐ OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- ☐ SWIMMER ☐ NON-SWIMMER	DEATH CAUSED BY ☐ DROWNING ☐ DISAPPEARANCE ☐ OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- ☐ SWIMMER ☐ NON-SWIMMER	DEATH CAUSED BY ☐ DROWNING ☐ DISAPPEARANCE ☐ OTHER

INJURED

NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS ☐ YES ☐ NO
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS ☐ YES ☐ NO
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS ☐ YES ☐ NO

ACCIDENT DESCRIPTION

DESCRIBE WHAT HAPPENED (include Failure of Equipment, If diagram is needed attach separately)

VESSEL NO. 2

NAME OF OPERATOR	ADDRESS	BOAT NUMBER
TELEPHONE NUMBER		BOAT NAME
NAME OF OWNER	ADDRESS	

WITNESSES

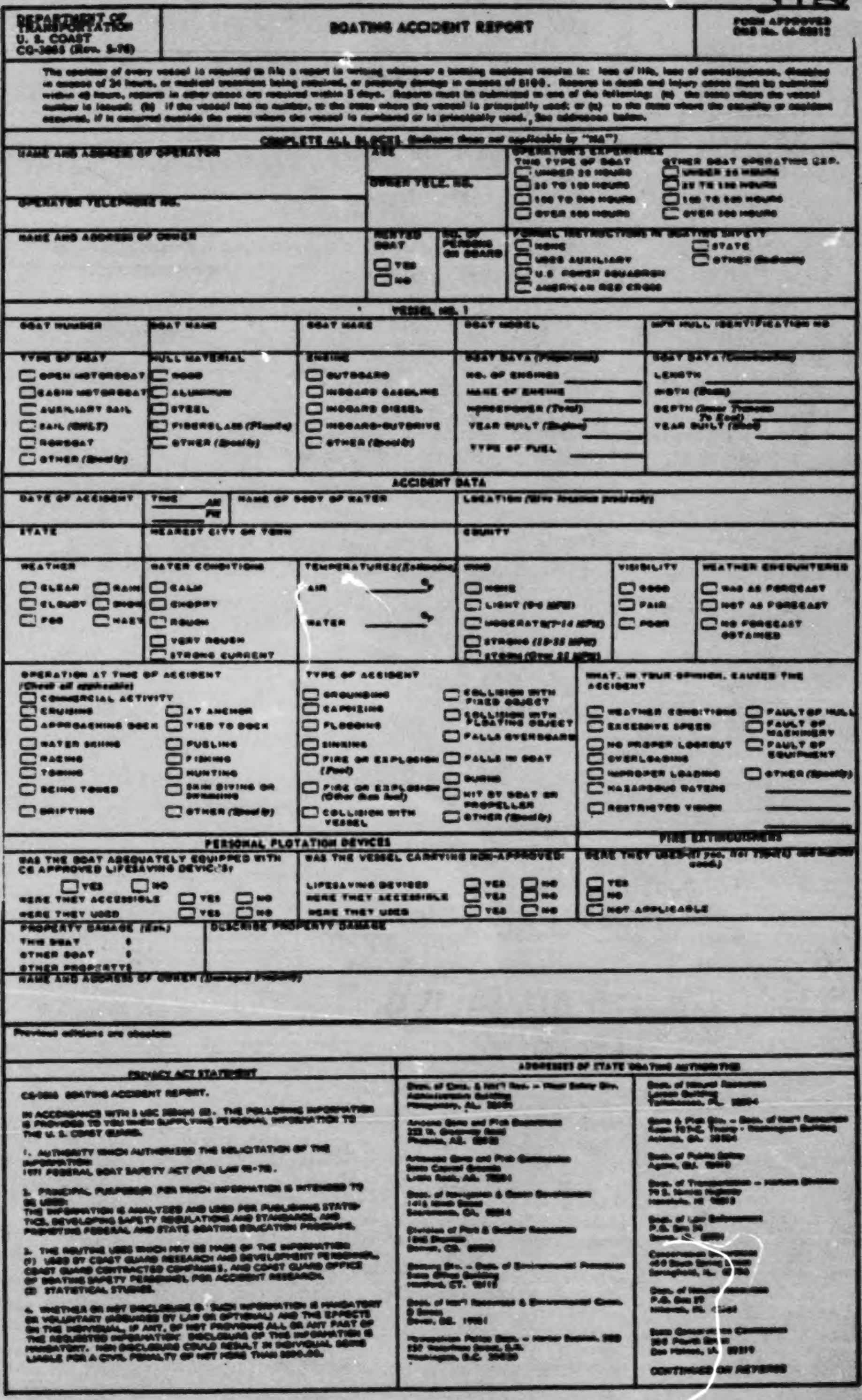
NAME	ADDRESS	TELEPHONE NUMBER
NAME	ADDRESS	TELEPHONE NUMBER
NAME	ADDRESS	TELEPHONE NUMBER

SIGNATURE OF PERSON COMPLETING REPORT	ADDRESS	DATE SUBMITTED
QUALIFICATION (Check one) ☐ OPERATOR ☐ OWNER ☐ INVESTIGATOR ☐ OTHER		TELEPHONE

(do not use) - FOR REPORTING AUTHORITY REVIEW (use agency date stamp)

NAME OF REVIEWING OFFICE	DATE RECEIVED	CAUSES BASED ON (Check one) ☐ THIS REPORT ☐ INVESTIGATION AND THIS REPORT ☐ INVESTIGATION ☐ COULD NOT BE DETERMINED
PRIMARY CAUSE OF ACCIDENT		REVIEWED BY
SECONDARY CAUSE OF ACCIDENT		

Figure 16–4



DEPARTMENT OF TRANSPORTATION
U. S. COAST [illegible]
CG-3865 (Rev. 5-76)

BOATING ACCIDENT REPORT

FORM APPROVED
OMB No. 04-R0312

The operator of every vessel is required to file a report in writing whenever a boating accident results in: loss of life, loss of consciousness, disability in excess of 24 hours, or medical treatment being rendered, or property damage in excess of $100. Reports in death and injury cases must be submitted within 48 hours; reports in other cases are required within 5 days. Reports must be submitted to one of the following: (a) the State where the vessel number is issued; (b) if the vessel has no number, to the State where the vessel is principally used; or (c) to the State where the casualty or accident occurred, if it occurred outside the State where the vessel is numbered or is principally used. See addresses below.

COMPLETE ALL BLOCKS (Indicate those not applicable by "NA")

NAME AND ADDRESS OF OPERATOR
AGE
OWNER TELE. NO.
OPERATOR TELEPHONE NO.

OPERATOR'S EXPERIENCE
THIS TYPE OF BOAT
☐ UNDER 20 HOURS
☐ 20 TO 100 HOURS
☐ 100 TO 500 HOURS
☐ OVER 500 HOURS
OTHER BOAT OPERATING EXP.
☐ UNDER 20 HOURS
☐ 20 TO 100 HOURS
☐ 100 TO 500 HOURS
☐ OVER 500 HOURS

NAME AND ADDRESS OF OWNER
RENTED BOAT
☐ YES
☐ NO
NO. OF PERSONS ON BOARD

FORMAL INSTRUCTIONS IN BOATING SAFETY
☐ NONE
☐ USCG AUXILIARY
☐ U.S. POWER SQUADRON
☐ AMERICAN RED CROSS
☐ STATE
☐ OTHER (Specify)

VESSEL NO. 1

BOAT NUMBER
BOAT NAME
BOAT MAKE
BOAT MODEL
MFR HULL IDENTIFICATION NO

TYPE OF BOAT
☐ OPEN MOTORBOAT
☐ CABIN MOTORBOAT
☐ AUXILIARY SAIL
☐ SAIL (ONLY)
☐ ROWBOAT
☐ OTHER (Specify)

HULL MATERIAL
☐ WOOD
☐ ALUMINUM
☐ STEEL
☐ FIBERGLASS (Plastic)
☐ OTHER (Specify)

ENGINE
☐ OUTBOARD
☐ INBOARD GASOLINE
☐ INBOARD DIESEL
☐ INBOARD-OUTDRIVE
☐ OTHER (Specify)

BOAT DATA (Propulsion)
NO. OF ENGINES ______
MAKE OF ENGINE ______
HORSEPOWER (Total) ______
YEAR BUILT (Engine) ______
TYPE OF FUEL ______

BOAT DATA (Construction)
LENGTH ______
WIDTH (Beam) ______
DEPTH (Inner Transom To Keel) ______
YEAR BUILT (Boat) ______

ACCIDENT DATA

DATE OF ACCIDENT
TIME ____ AM ____ PM
NAME OF BODY OF WATER
LOCATION (Give location precisely)
STATE
NEAREST CITY OR TOWN
COUNTY

WEATHER
☐ CLEAR
☐ CLOUDY
☐ FOG
☐ RAIN
☐ SNOW
☐ HAZY

WATER CONDITIONS
☐ CALM
☐ CHOPPY
☐ ROUGH
☐ VERY ROUGH
☐ STRONG CURRENT

TEMPERATURES (Estimate)
AIR ______ °
WATER ______ °

WIND
☐ NONE
☐ LIGHT (0-6 MPH)
☐ MODERATE (7-14 MPH)
☐ STRONG (15-25 MPH)
☐ STORM (Over 25 MPH)

VISIBILITY
☐ GOOD
☐ FAIR
☐ POOR

WEATHER ENCOUNTERED
☐ WAS AS FORECAST
☐ NOT AS FORECAST
☐ NO FORECAST OBTAINED

OPERATION AT TIME OF ACCIDENT (Check all applicable)
☐ COMMERCIAL ACTIVITY
☐ CRUISING
☐ APPROACHING DOCK
☐ WATER SKIING
☐ RACING
☐ TOWING
☐ BEING TOWED
☐ DRIFTING
☐ AT ANCHOR
☐ TIED TO DOCK
☐ FUELING
☐ FISHING
☐ HUNTING
☐ SKIN DIVING OR SWIMMING
☐ OTHER (Specify)

TYPE OF ACCIDENT
☐ GROUNDING
☐ CAPSIZING
☐ FLOODING
☐ SINKING
☐ FIRE OR EXPLOSION (Fuel)
☐ FIRE OR EXPLOSION (Other than fuel)
☐ COLLISION WITH VESSEL
☐ COLLISION WITH FIXED OBJECT
☐ COLLISION WITH FLOATING OBJECT
☐ FALLS OVERBOARD
☐ FALLS IN BOAT
☐ BURNS
☐ HIT BY BOAT OR PROPELLER
☐ OTHER (Specify)

WHAT, IN YOUR OPINION, CAUSED THE ACCIDENT
☐ WEATHER CONDITIONS
☐ EXCESSIVE SPEED
☐ NO PROPER LOOKOUT
☐ OVERLOADING
☐ IMPROPER LOADING
☐ HAZARDOUS WATERS
☐ RESTRICTED VISION
☐ FAULT OF HULL
☐ FAULT OF MACHINERY
☐ FAULT OF EQUIPMENT
☐ OTHER (Specify)

PERSONAL FLOTATION DEVICES

WAS THE BOAT ADEQUATELY EQUIPPED WITH CG APPROVED LIFESAVING DEVICES?
☐ YES ☐ NO
WERE THEY ACCESSIBLE ☐ YES ☐ NO
WERE THEY USED ☐ YES ☐ NO

WAS THE VESSEL CARRYING NON-APPROVED:
LIFESAVING DEVICES ☐ YES ☐ NO
WERE THEY ACCESSIBLE ☐ YES ☐ NO
WERE THEY USED ☐ YES ☐ NO

FIRE EXTINGUISHERS

WERE THEY USED (If yes, list type(s) and number used)
☐ YES
☐ NO
☐ NOT APPLICABLE

PROPERTY DAMAGE (Est.)
THIS BOAT $
OTHER BOAT $
OTHER PROPERTY $

DESCRIBE PROPERTY DAMAGE

NAME AND ADDRESS OF OWNER (Damaged Property)

Previous editions are obsolete

PRIVACY ACT STATEMENT

CG-3865 BOATING ACCIDENT REPORT.

IN ACCORDANCE WITH 5 USC 552a(e) (3), THE FOLLOWING INFORMATION IS PROVIDED TO YOU WHEN SUPPLYING PERSONAL INFORMATION TO THE U. S. COAST GUARD.

1. AUTHORITY WHICH AUTHORIZED THE SOLICITATION OF THE INFORMATION:
1971 FEDERAL BOAT SAFETY ACT (PUB LAW 92-75).

2. PRINCIPAL PURPOSE(S) FOR WHICH INFORMATION IS INTENDED TO BE USED:
THE INFORMATION IS ANALYZED AND USED FOR PUBLISHING STATISTICS, DEVELOPING SAFETY REGULATIONS AND STANDARDS, AND PROMOTING FEDERAL AND STATE BOATING EDUCATION PROGRAMS.

3. THE ROUTINE USES WHICH MAY BE MADE OF THE INFORMATION:
(1) USED BY COAST GUARD RESEARCH AND DEVELOPMENT PERSONNEL, COAST GUARD CONTRACTED COMPANIES, AND COAST GUARD OFFICE OF BOATING SAFETY PERSONNEL FOR ACCIDENT RESEARCH.
(2) STATISTICAL STUDIES.

4. WHETHER OR NOT DISCLOSURE OF SUCH INFORMATION IS MANDATORY OR VOLUNTARY (REQUIRED BY LAW OR OPTIONAL) AND THE EFFECTS ON THE INDIVIDUAL, IF ANY, OF NOT PROVIDING ALL OR ANY PART OF THE REQUESTED INFORMATION: DISCLOSURE OF THE INFORMATION IS MANDATORY. NON DISCLOSURE COULD RESULT IN INDIVIDUAL BEING LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN $500.00.

ADDRESSES OF STATE BOATING AUTHORITIES

Dept. of Cons. & Nat'l Res. – [illegible] Safety Div.
Administrative Building
Montgomery, AL [illegible]

Arizona Game and Fish Department
[illegible]
Phoenix, AZ [illegible]

Arkansas Game and Fish Commission
State Capitol Grounds
Little Rock, AR [illegible]

Dept. of Navigation & Ocean Development
[illegible]
Sacramento, CA [illegible]

Division of Park & Outdoor Recreation
[illegible]
Denver, CO [illegible]

[illegible] – Dept. of Environmental Protection
State Office Building
Hartford, CT [illegible]

Dept. of Nat'l Resources & Environmental Cont.
[illegible]
Dover, DE 19901

[illegible] Police Dept. – Harbor Section, [illegible]
[illegible]
Washington, D.C. [illegible]

Dept. of Natural Resources
[illegible] Building
Tallahassee, FL [illegible]

Game & Fish Div. – Dept. of Nat'l Resources
[illegible] – Washington Building
Atlanta, GA [illegible]

Dept. of Public Safety
Agana, GU [illegible]

Dept. of Transportation – Harbors Division
[illegible] Highway
Honolulu, HI [illegible]

Dept. of Law Enforcement
P.O. Box [illegible]
[illegible]

Conservation [illegible]
[illegible]
Springfield, IL [illegible]

Dept. of Natural Resources
P.O. Box [illegible]
[illegible]

State Conservation Commission
[illegible] Street
Des Moines, IA 50319

CONTINUED ON REVERSE

Figure 16–5

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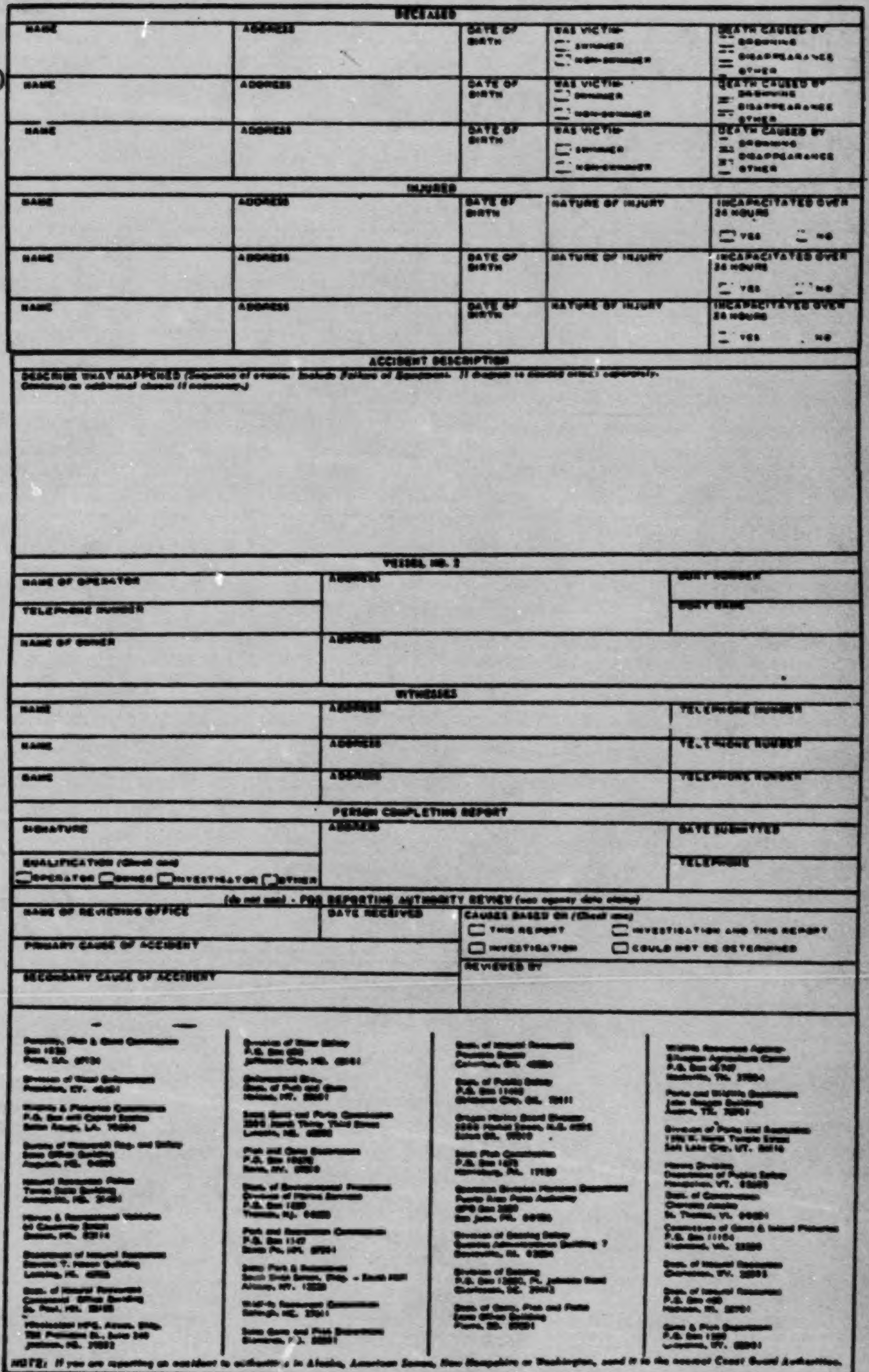
16.G.1.a.(1)(Continued)



DECEASED

NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- ☐ SWIMMER ☐ NON-SWIMMER	DEATH CAUSED BY ☐ DROWNING ☐ DISAPPEARANCE ☐ OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- ☐ SWIMMER ☐ NON-SWIMMER	DEATH CAUSED BY ☐ DROWNING ☐ DISAPPEARANCE ☐ OTHER
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM- ☐ SWIMMER ☐ NON-SWIMMER	DEATH CAUSED BY ☐ DROWNING ☐ DISAPPEARANCE ☐ OTHER

INJURED

NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS ☐ YES ☐ NO
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS ☐ YES ☐ NO
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	INCAPACITATED OVER 24 HOURS ☐ YES ☐ NO

ACCIDENT DESCRIPTION

DESCRIBE WHAT HAPPENED *(Sequence of events. Include Failure of Equipment. If diagram is needed attach separately. Continue on additional sheets if necessary.)*

VESSEL NO. 2

NAME OF OPERATOR	ADDRESS	BOAT NUMBER
TELEPHONE NUMBER		BOAT NAME
NAME OF OWNER	ADDRESS	

WITNESSES

NAME	ADDRESS	TELEPHONE NUMBER
NAME	ADDRESS	TELEPHONE NUMBER
NAME	ADDRESS	TELEPHONE NUMBER

PERSON COMPLETING REPORT

SIGNATURE	ADDRESS	DATE SUBMITTED
QUALIFICATION *(Check one)* ☐ OPERATOR ☐ OWNER ☐ INVESTIGATOR ☐ OTHER		TELEPHONE

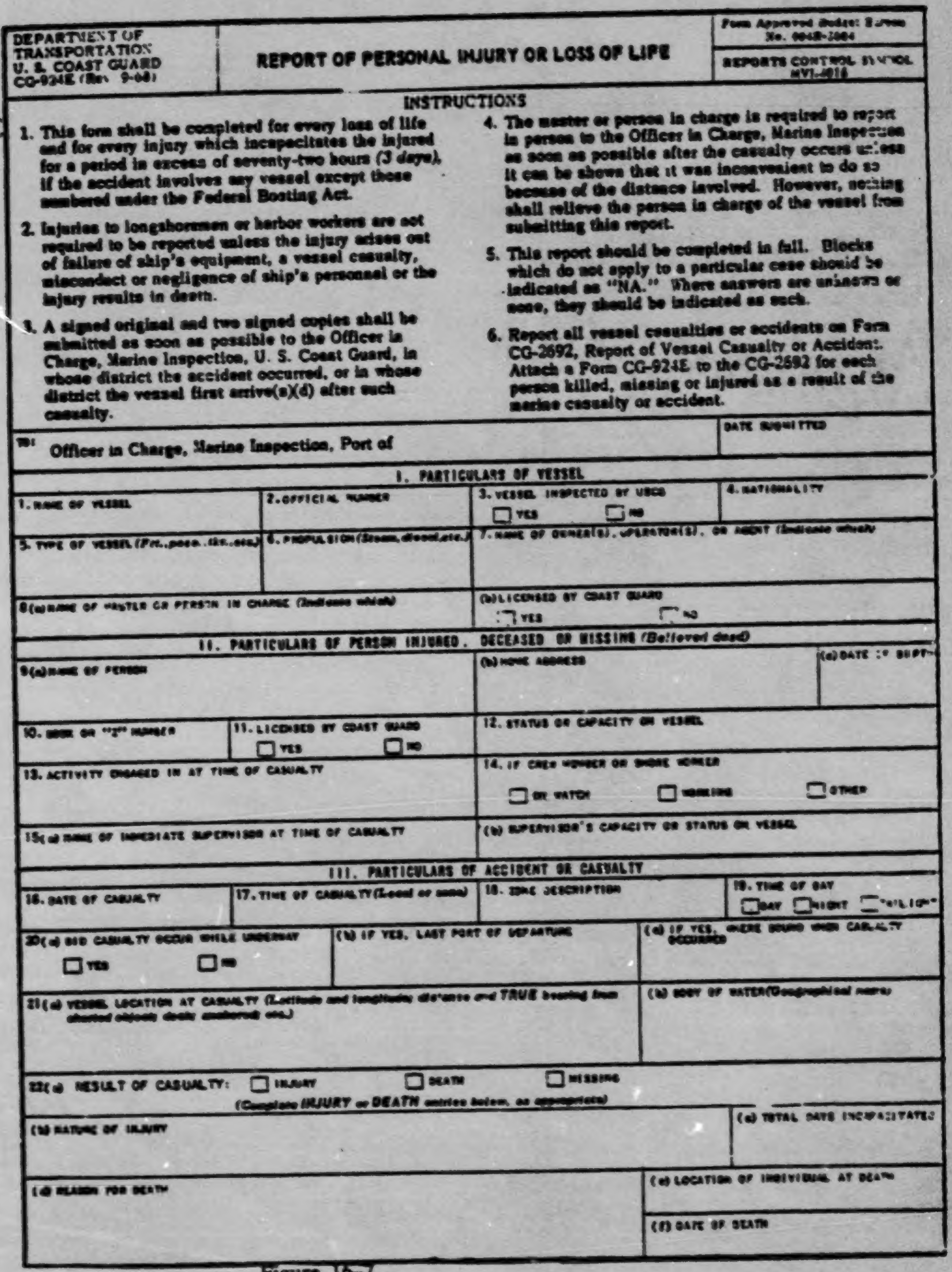
(do not use) - FOR REPORTING AUTHORITY REVIEW (use agency date stamp)

NAME OF REVIEWING OFFICE	DATE RECEIVED	CAUSES BASED ON *(Check one)* ☐ THIS REPORT ☐ INVESTIGATION AND THIS REPORT ☐ INVESTIGATION ☐ COULD NOT BE DETERMINED
PRIMARY CAUSE OF ACCIDENT		REVIEWED BY
SECONDARY CAUSE OF ACCIDENT		

NOTE: *If you are reporting an accident to authorities in Alaska, American Samoa, New Hampshire or Washington, send it to the nearest Coast Guard Authorities.*

Figure 16–6

16.G.1.a.(1)(Continued)



DEPARTMENT OF TRANSPORTATION
U. S. COAST GUARD
CG-924E (Rev. 9-68)

REPORT OF PERSONAL INJURY OR LOSS OF LIFE

Form Approved Budget Bureau No. 004R-3004

REPORTS CONTROL SYMBOL MVI-4016

INSTRUCTIONS

1. This form shall be completed for every loss of life and for every injury which incapacitates the injured for a period in excess of seventy-two hours *(3 days)*, if the accident involves any vessel except those numbered under the Federal Boating Act.
2. Injuries to longshoremen or harbor workers are not required to be reported unless the injury arises out of failure of ship's equipment, a vessel casualty, misconduct or negligence of ship's personnel or the injury results in death.
3. A signed original and two signed copies shall be submitted as soon as possible to the Officer in Charge, Marine Inspection, U. S. Coast Guard, in whose district the accident occurred, or in whose district the vessel first arrive(s)(d) after such casualty.
4. The master or person in charge is required to report in person to the Officer in Charge, Marine Inspection as soon as possible after the casualty occurs unless it can be shown that it was inconvenient to do so because of the distance involved. However, nothing shall relieve the person in charge of the vessel from submitting this report.
5. This report should be completed in full. Blocks which do not apply to a particular case should be indicated as "NA." Where answers are unknown or none, they should be indicated as such.
6. Report all vessel casualties or accidents on Form CG-2692, Report of Vessel Casualty or Accident. Attach a Form CG-924E to the CG-2692 for each person killed, missing or injured as a result of the marine casualty or accident.

TO: Officer in Charge, Marine Inspection, Port of

DATE SUBMITTED

I. PARTICULARS OF VESSEL

1. NAME OF VESSEL
2. OFFICIAL NUMBER
3. VESSEL INSPECTED BY USCG ☐ YES ☐ NO
4. NATIONALITY
5. TYPE OF VESSEL *(Frt., pass., tkr., etc.)*
6. PROPULSION *(Steam, diesel, etc.)*
7. NAME OF OWNER(S), OPERATOR(S), OR AGENT *(Indicate which)*
8(a) NAME OF MASTER OR PERSON IN CHARGE *(Indicate which)*
(b) LICENSED BY COAST GUARD ☐ YES ☐ NO

II. PARTICULARS OF PERSON INJURED, DECEASED OR MISSING *(Believed dead)*

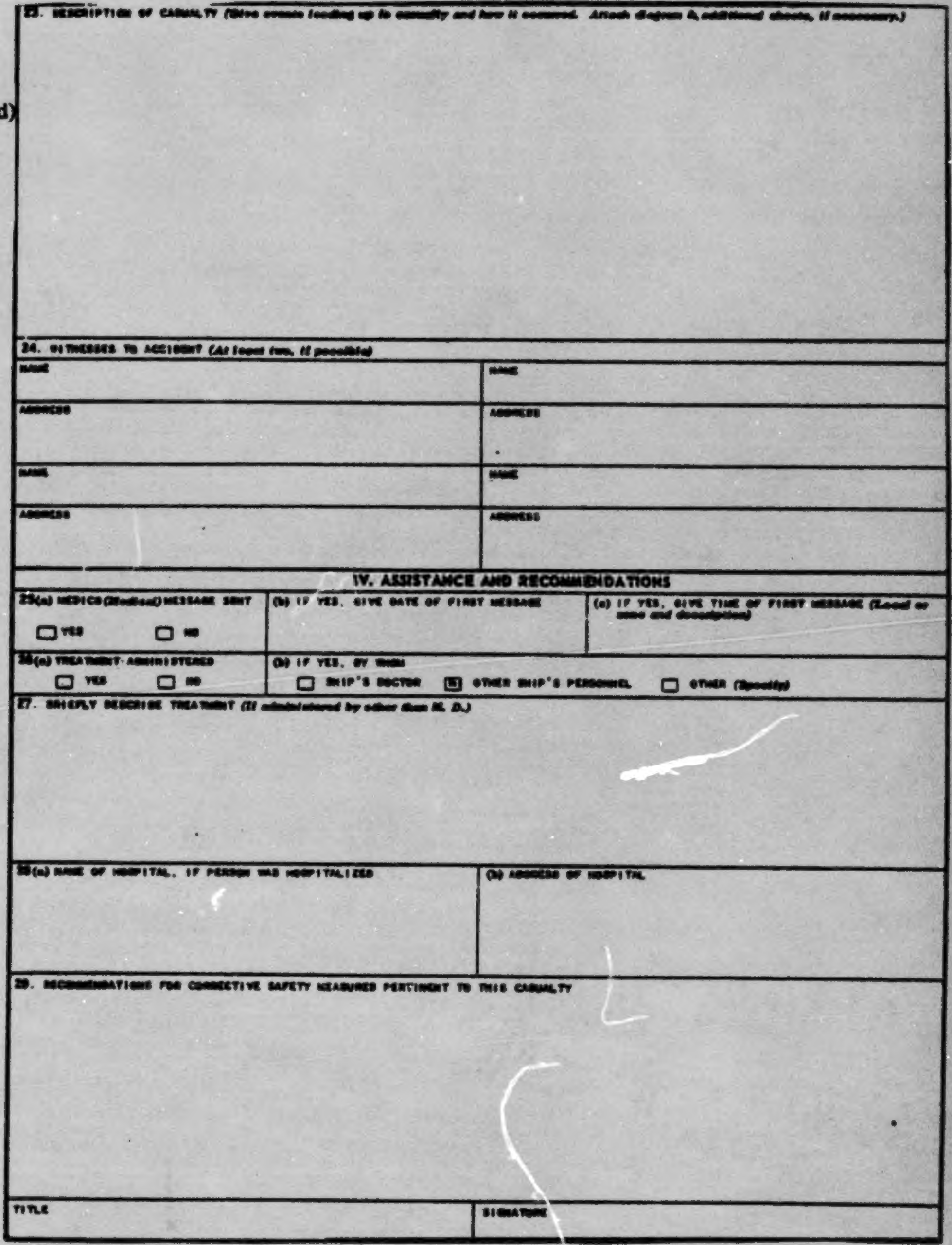
9(a) NAME OF PERSON
(b) HOME ADDRESS
(c) DATE OF BIRT
10. BOOK OR "Z" NUMBER
11. LICENSED BY COAST GUARD ☐ YES ☐ NO
12. STATUS OR CAPACITY ON VESSEL
13. ACTIVITY ENGAGED IN AT TIME OF CASUALTY
14. IF CREW MEMBER OR SHORE WORKER ☐ ON WATCH ☐ WORKING ☐ OTHER
15(a) NAME OF IMMEDIATE SUPERVISOR AT TIME OF CASUALTY
(b) SUPERVISOR'S CAPACITY OR STATUS ON VESSEL

III. PARTICULARS OF ACCIDENT OR CASUALTY

16. DATE OF CASUALTY
17. TIME OF CASUALTY *(Local or zone)*
18. ZONE DESCRIPTION
19. TIME OF DAY ☐ DAY ☐ NIGHT ☐ TWILIGHT
20(a) DID CASUALTY OCCUR WHILE UNDERWAY ☐ YES ☐ NO
(b) IF YES, LAST PORT OF DEPARTURE
(c) IF YES, WHERE BOUND WHEN CASUALTY OCCURRED
21(a) VESSEL LOCATION AT CASUALTY *(Latitude and longitude, distance and* ***TRUE*** *bearing from charted objects, dock, anchored, etc.)*
(b) BODY OF WATER *(Geographical name)*
22(a) RESULT OF CASUALTY: ☐ INJURY ☐ DEATH ☐ MISSING
(Complete ***INJURY*** *or* ***DEATH*** *entries below, as appropriate)*
(b) NATURE OF INJURY
(c) TOTAL DAYS INCAPACITATED
(d) REASON FOR DEATH
(e) LOCATION OF INDIVIDUAL AT DEATH
(f) DATE OF DEATH

Figure 16–7

16.G.1.a.(1)(Continued)



23. DESCRIPTION OF CASUALTY (Give events leading up to casualty and how it occurred. Attach diagram & additional sheets, if necessary.)

24. WITNESSES TO ACCIDENT (At least two, if possible)

NAME	NAME
ADDRESS	ADDRESS
NAME	NAME
ADDRESS	ADDRESS

IV. ASSISTANCE AND RECOMMENDATIONS

25(a) MEDICO (Medical) MESSAGE SENT ☐ YES ☐ NO	(b) IF YES, GIVE DATE OF FIRST MESSAGE	(c) IF YES, GIVE TIME OF FIRST MESSAGE (Local or zone and description)
26(a) TREATMENT ADMINISTERED ☐ YES ☐ NO	(b) IF YES, BY WHOM ☐ SHIP'S DOCTOR ☒ OTHER SHIP'S PERSONNEL ☐ OTHER (Specify)	

27. BRIEFLY DESCRIBE TREATMENT (If administered by other than M. D.)

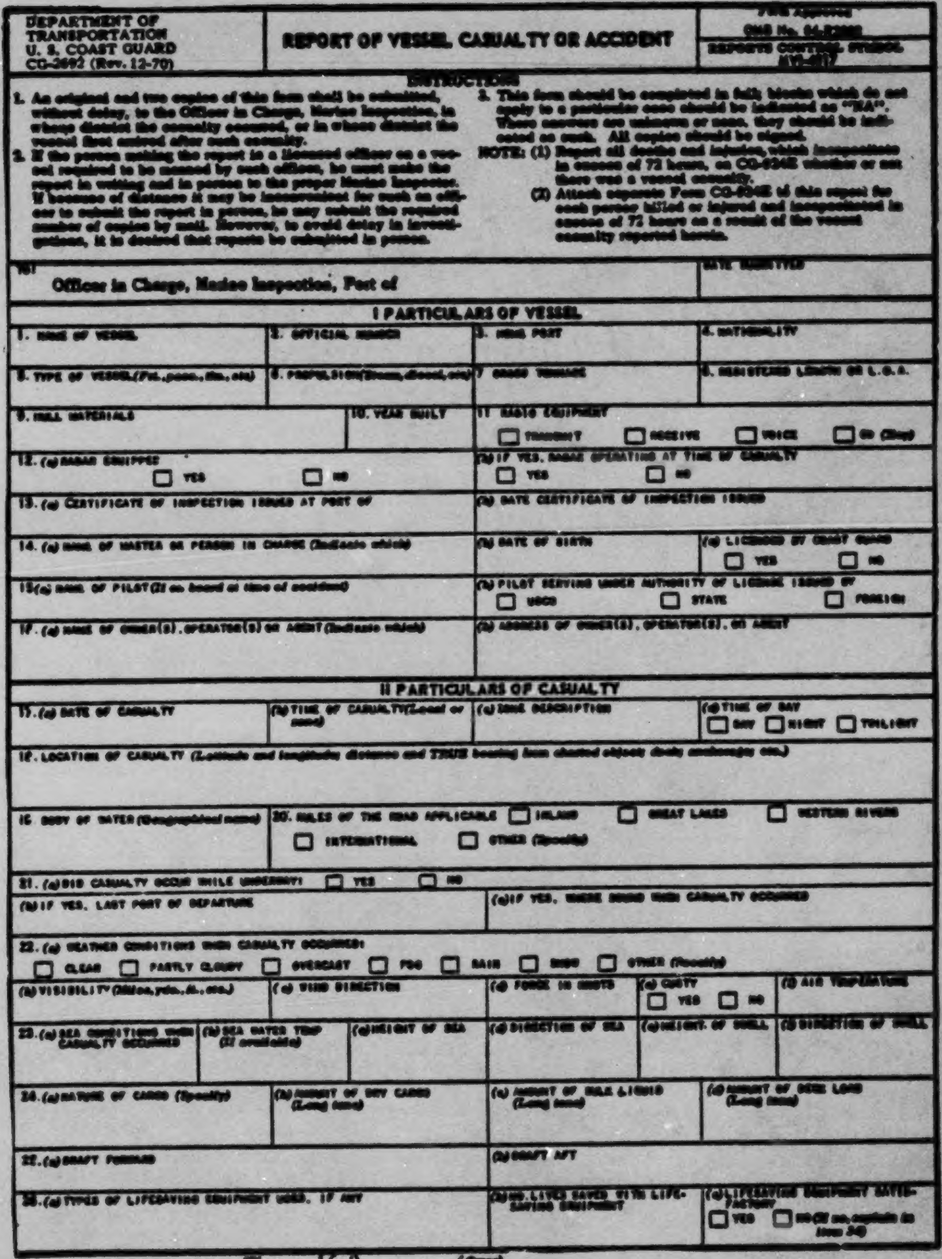
28(a) NAME OF HOSPITAL, IF PERSON WAS HOSPITALIZED	(b) ADDRESS OF HOSPITAL

29. RECOMMENDATIONS FOR CORRECTIVE SAFETY MEASURES PERTINENT TO THIS CASUALTY

TITLE	SIGNATURE

Figure 16–8

16.G.1.a.(1)(Continued)



DEPARTMENT OF TRANSPORTATION
U. S. COAST GUARD
CG-2692 (Rev. 12-70)

REPORT OF VESSEL CASUALTY OR ACCIDENT

Form Approved
OMB No. 04-R[illegible]
REPORTS CONTROL SYMBOL
MVI-[illegible]

INSTRUCTIONS

1. An original and two copies of this form shall be submitted, without delay, to the Officer in Charge, Marine Inspection, in whose district the casualty occurred, or in whose district the vessel first arrived after such casualty.
2. If the person making the report is a licensed officer on a vessel required to be manned by such officers, he must make the report in writing and in person to the proper Marine Inspector. If because of distance it may be inconvenient for such an officer to submit the report in person, he may submit the required number of copies by mail. However, to avoid delay in investigations, it is desired that reports be submitted in person.
3. This form should be completed in full; blocks which do not apply to a particular case should be indicated as "NA". Where answers are unknown or none, they should be indicated as such. All copies should be signed.

NOTE: (1) Report all deaths and injuries, which incapacitate in excess of 72 hours, on CG-924E whether or not there was a vessel casualty.
(2) Attach separate Form CG-924E to this report for each person killed or injured and incapacitated in excess of 72 hours as a result of the vessel casualty reported herein.

TO: Officer in Charge, Marine Inspection, Port of
DATE SUBMITTED

I PARTICULARS OF VESSEL

1. NAME OF VESSEL
2. OFFICIAL NUMBER
3. HOME PORT
4. NATIONALITY
5. TYPE OF VESSEL (Frt., pass., fsh., etc.)
6. PROPULSION (Steam, diesel, etc.)
7. GROSS TONNAGE
8. REGISTERED LENGTH OR L.O.A.
9. HULL MATERIALS
10. YEAR BUILT
11. RADIO EQUIPMENT ☐ TRANSMIT ☐ RECEIVE ☐ VOICE ☐ CW (Key)
12. (a) RADAR EQUIPPED ☐ YES ☐ NO
(b) IF YES, RADAR OPERATING AT TIME OF CASUALTY ☐ YES ☐ NO
13. (a) CERTIFICATE OF INSPECTION ISSUED AT PORT OF
(b) DATE CERTIFICATE OF INSPECTION ISSUED
14. (a) NAME OF MASTER OR PERSON IN CHARGE (Indicate which)
(b) DATE OF BIRTH
(c) LICENSED BY COAST GUARD ☐ YES ☐ NO
15. (a) NAME OF PILOT (If on board at time of accident)
(b) PILOT SERVING UNDER AUTHORITY OF LICENSE ISSUED BY ☐ USCG ☐ STATE ☐ FOREIGN
16. (a) NAME OF OWNER(S), OPERATOR(S) OR AGENT (Indicate which)
(b) ADDRESS OF OWNER(S), OPERATOR(S), OR AGENT

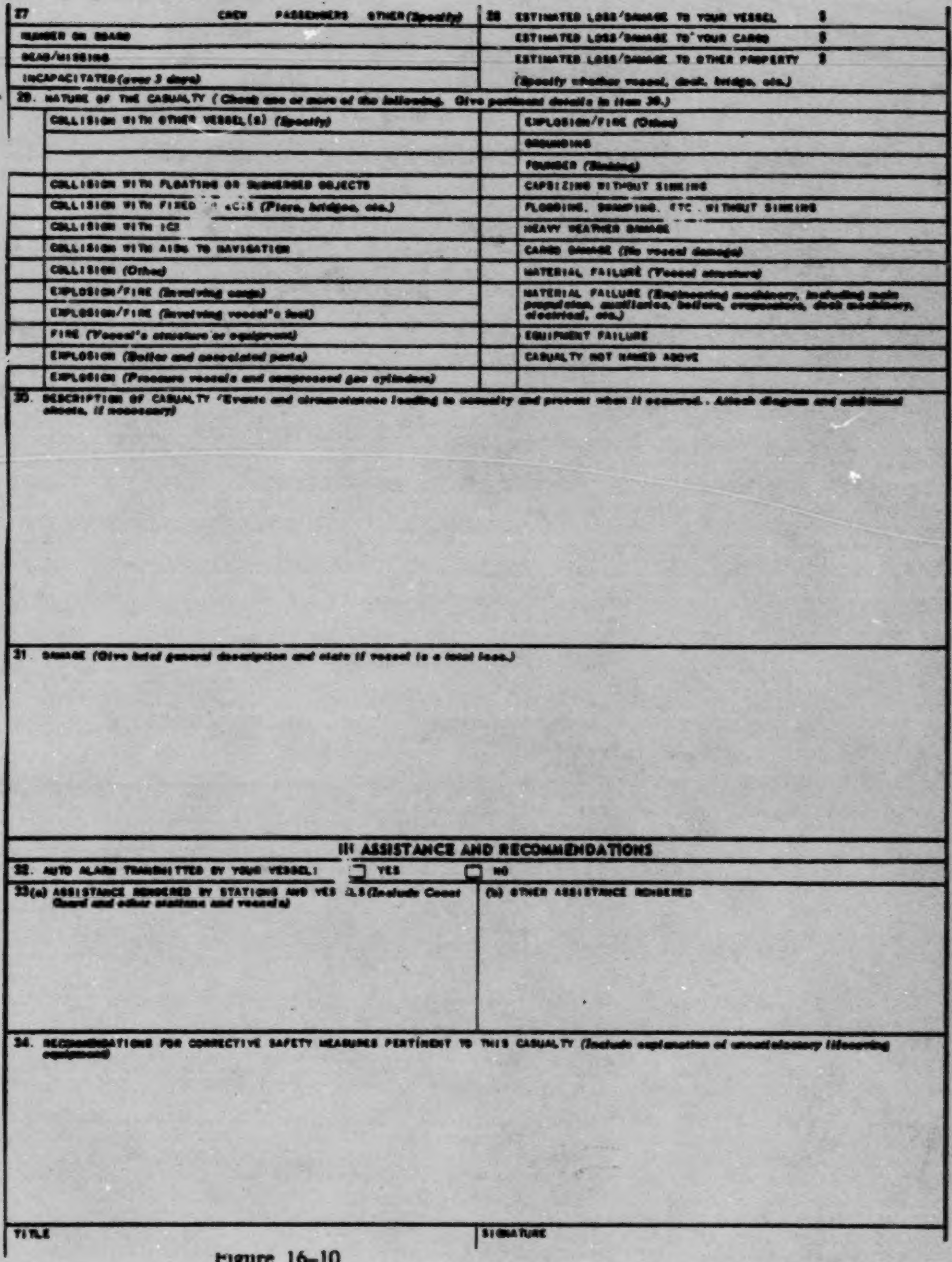
II PARTICULARS OF CASUALTY

17. (a) DATE OF CASUALTY
(b) TIME OF CASUALTY (Local or zone)
(c) ZONE DESCRIPTION
(d) TIME OF DAY ☐ DAY ☐ NIGHT ☐ TWILIGHT
18. LOCATION OF CASUALTY (Latitude and longitude; distance and TRUE bearing from charted objects; docks, anchorages, etc.)
19. BODY OF WATER (Geographical name)
20. RULES OF THE ROAD APPLICABLE ☐ INLAND ☐ GREAT LAKES ☐ WESTERN RIVERS ☐ INTERNATIONAL ☐ OTHER (Specify)
21. (a) DID CASUALTY OCCUR WHILE UNDERWAY? ☐ YES ☐ NO
(b) IF YES, LAST PORT OF DEPARTURE
(c) IF YES, WHERE BOUND WHEN CASUALTY OCCURRED
22. (a) WEATHER CONDITIONS WHEN CASUALTY OCCURRED: ☐ CLEAR ☐ PARTLY CLOUDY ☐ OVERCAST ☐ FOG ☐ RAIN ☐ SNOW ☐ OTHER (Specify)
(b) VISIBILITY (Miles, yds., ft., etc.)
(c) WIND DIRECTION
(d) FORCE IN KNOTS
(e) GUSTY ☐ YES ☐ NO
(f) AIR TEMPERATURE
23. (a) SEA CONDITIONS WHEN CASUALTY OCCURRED
(b) SEA WATER TEMP (If available)
(c) HEIGHT OF SEA
(d) DIRECTION OF SEA
(e) HEIGHT OF SWELL
(f) DIRECTION OF SWELL
24. (a) NATURE OF CARGO (Specify)
(b) AMOUNT OF DRY CARGO (Long tons)
(c) AMOUNT OF BULK LIQUID (Long tons)
(d) AMOUNT OF DECK LOAD (Long tons)
25. (a) DRAFT FORWARD
(b) DRAFT AFT
26. (a) TYPES OF LIFESAVING EQUIPMENT USED, IF ANY
(b) NO. LIVES SAVED WITH LIFESAVING EQUIPMENT
(c) LIFESAVING EQUIPMENT SATISFACTORY ☐ YES ☐ NO (If no, explain in item 34)

Figure 16-9

(Over)

16.G.1.a.(1)(Continued).



27	CREW	PASSENGERS	OTHER (Specify)
NUMBER ON BOARD			
DEAD/MISSING			
INCAPACITATED (over 3 days)			

28 ESTIMATED LOSS/DAMAGE TO YOUR VESSEL $

ESTIMATED LOSS/DAMAGE TO YOUR CARGO $

ESTIMATED LOSS/DAMAGE TO OTHER PROPERTY $

(Specify whether vessel, dock, bridge, etc.)

29. NATURE OF THE CASUALTY (Check one or more of the following. Give pertinent details in item 30.)

	COLLISION WITH OTHER VESSEL(S) (Specify)	☐	EXPLOSION/FIRE (Other)
		☐	GROUNDING
		☐	FOUNDER (Sinking)
☐	COLLISION WITH FLOATING OR SUBMERGED OBJECTS	☐	CAPSIZING WITHOUT SINKING
☐	COLLISION WITH FIXED OBJECTS (Piers, bridges, etc.)	☐	FLOODING, SWAMPING, ETC. WITHOUT SINKING
☐	COLLISION WITH ICE	☐	HEAVY WEATHER DAMAGE
☐	COLLISION WITH AIDS TO NAVIGATION	☐	CARGO DAMAGE (No vessel damage)
☐	COLLISION (Other)	☐	MATERIAL FAILURE (Vessel structure)
☐	EXPLOSION/FIRE (Involving cargo)	☐	MATERIAL FAILURE (Engineering machinery, including main propulsion, auxiliaries, boilers, evaporators, deck machinery, electrical, etc.)
☐	EXPLOSION/FIRE (Involving vessel's fuel)		
☐	FIRE (Vessel's structure or equipment)	☐	EQUIPMENT FAILURE
☐	EXPLOSION (Boiler and associated parts)	☐	CASUALTY NOT NAMED ABOVE
☐	EXPLOSION (Pressure vessels and compressed gas cylinders)	☐	

30. DESCRIPTION OF CASUALTY (Events and circumstances leading to casualty and present when it occurred. Attach diagram and additional sheets, if necessary)

31. DAMAGE (Give brief general description and state if vessel is a total loss.)

III ASSISTANCE AND RECOMMENDATIONS

32. AUTO ALARM TRANSMITTED BY YOUR VESSEL: ☐ YES ☐ NO

33(a) ASSISTANCE RENDERED BY STATIONS AND VESSELS (Include Coast Guard and other stations and vessels)

(b) OTHER ASSISTANCE RENDERED

34. RECOMMENDATIONS FOR CORRECTIVE SAFETY MEASURES PERTINENT TO THIS CASUALTY (Include explanation of unsatisfactory lifesaving equipment)

TITLE

SIGNATURE

Figure 16–10

b. AGE

(1) List the operator's age at the last birthdate and/or date of birth.

c. OPERATOR'S EXPERIENCE

(1) Under the appropriate column, check the boat operator's experience at the time of the accident. This estimate will have to be made by the operator or persons associated with him, such as family members. The column heading "THIS TYPE OF BOAT" refers to the operator's experience in operating boats similar in power and model to that which was involved in the accident. "OTHER BOAT OPERATING EXPERIENCE" refers to experience in operating other types of boats.

d. NAME AND ADDRESS OF OWNER

(1) Record the PERMANENT MAILING ADDRESS of the owner including the zip code and telephone number. If the owner is the same as the operator, state "same as operator."

e. RENTED BOAT

(1) Check "yes" for rented or leased boats and "no" for all others. A borrowed boat would be checked "no." At the present time there are indications that rented or leased boats are a problem area in boating safety. The information provided by this question will help to determine more precisely the number of such boats involved in accidents.

f. NUMBER OF PERSONS ON BOARD

(1) State the number of persons on board at the time of the accident. This should include any persons who were being towed at the time of the accident, e.g., water skiers. If total weight of the persons is known, include it in the narrative or in this block.

g. FORMAL INSTRUCTIONS IN BOATING SAFETY

(1) This refers to the operator of the boat at the time of the accident. This information will assist in determining the value of boating safety education courses. Please also indicate the location(s) of the courses taken, e.g., Smith High School, Smith, N.Y.

h. BOAT NUMBER

(1) List the number of the boat as assigned by the Coast Guard or the state in which it is principally used. The number should be in block characters, at least three inches in height, and in a color that contrasts with the background. When displayed, the number should appear on both sides of the front half of the vessel and is read from left to right.

i. BOAT NAME

(1) List the name of the boat as assigned by the owner. This is usually found on the transom or rear of the boat. If the boat is unnamed, list "no name."

j. BOAT MAKE

(1) List the name of the boat manufacturer. Federal regulations prescribe that "the name and address of the manufacturer must be displayed on all monohulls under twenty (20) feet in length (except canoes, kayaks and inflatables) on boats built on or after November 1972." This information appears on the "Certification Label" which is generally located near the operator's station.

k. BOAT MODEL

(1) The boat model should appear on the "Certification Label."

l. MANUFACTURER HULL IDENTIFICATION NUMBER (HIN)

(1) Not all boats bear hull identification numbers (HINs). For those boats which do bear HINs, however, the numbers should consist of a minimum of 12 characters. On boats built since October 30, 1972, the HIN must be permanently affixed to the outboard side of the transom or, if there is no transom, to the outermost starboard side at the end of the hull that bears the rudder or steering mechanism, above the waterline in such a manner that alteration, removal, or replacement would be obvious and evident.

m. TYPE OF BOAT

(1) The various types of boats are defined as follows:

(a) Open Motorboat—a boat, propelled by a motor, which does not have an enclosed cabin.

(b) Cabin Motorboat—a motorboat with a cabin which can be completely enclosed by means of doors or hatches.

(c) Auxiliary Sail—a sailboat with an auxiliary motor.

(d) Sail(ONLY)—a boat solely propelled by sails.

(e) Rowboat—a boat propelled by oars, or some other manual means.

(f) Other—If the boat is not one of the above, check the "other" box and specify the type of boat.

(2) Other types may include: Kayaks, canoes, hydroplanes, houseboats, rafts, inflatables, etc.

n. HULL MATERIAL

(1) If the hull material is different than the materials listed, check the "other" box and identify the material

16.G.1.n.(1)(Continued)

in the space provided. The hull material should be specified on the certificate of number.

o. ENGINE

(1) The type of engine the boat uses for propulsion should be found on the certificate of number. If other than those listed, check the "other" box and specify the type.

p. BOAT DATA

(1) List the required information. The engine make, horsepower, and the year in which it was built may appear on the engine cover or on the engine's serial number data plate located in a prominent location on the engine, itself. The length of the boat should be listed on the certificate of number.

q. DATE OF ACCIDENT

(1) List the date on which the accident occurred.

r. TIME

(1) List the time of the accident. To help clarify, circle the AM or PM as appropriate.

s. NAME OF BODY OF WATER

(1) Identify the body of water on which the accident occurred.

t. LOCATION

(1) Detail the accident location using known landmarks, charted aids to navigation with bearings and ranges of each, or longitude and latitude if the equipment is available to make the determination.

u. STATE

(1) Indicate the state or Federal territory in which the accident occurred.

v. NEAREST CITY OR TOWN

(1) Identify the city or town nearest to the accident site.

w. COUNTY

(1) Specify the county in which the accident occurred.

x. WEATHER

(1) Check the applicable weather condition as observed or determined through weather reports or witness interviews.

y. WATER CONDITIONS

(1) Indicate the water condition at the time of the accident as best observed or determined.

z. TEMPERATURES

(1) List the estimated temperatures of the water and air. This information is important because it helps to determine an individual's chances of surviving in the water. If this information is not available at the scene, check with the local weather service.

aa. WIND

(1) Check the box which most accurately describes the wind speed at the time of the accident. If the weather has changed since the accident, however, contact the local weather service for the approximate wind speed at the time of accident.

bb. VISIBILITY

(1) Check with area boaters or other witnesses and the local weather service if necessary to determine the visibility at the time of the accident.

(a) GOOD—the operator can see well beyond his immediate surroundings.

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(b) FAIR—the operator can see well enough to operate his boat with caution.

(c) POOR—visibility is limited to within a few yards of the boat.

cc. WEATHER ENCOUNTERED

(1) This information will be used to determine the use and value of area weather forecasts. If necessary, check with the local weather service to determine the forecast at the time the boat left its docking area. Also, ascertain whether or not the operator obtained a weather forecast prior to departing.

dd. OPERATION AT TIME OF ACCIDENT

(1) Check the type or types of operation in which the boat was engaged at the time of the accident.

ee. TYPE OF ACCIDENT

(1) Check the type of accident that occurred. If the type is not listed, check the "other" box and specify the type in the space provided. To help determine the type of accident the following definitions are provided:

(a) Grounding—a vessel running aground, striking, or pounding upon the rocks, reefs or shoals on the bottom.

(b) Capsizing—a vessel overturning or upsetting but remaining on the surface of the water.

(c) Flooding—a vessel filling with water, regardless of the method of ingress, but retaining sufficient buoyancy to remain upon the surface.

(d) Falls overboard—a spilling out of a person or persons without overturning the vessel.

(e) Sinking—a vessel losing enough buoyancy to settle below the surface of the water.

(f) Collision with a vessel—any striking together of two or more boats, regardless of their type of operation at the time of the striking. This includes colliding with the tow of another vessel, regardless of the nature of the tow, i.e., surfboard, waterskier, etc.

(g) Collision with a fixed object—the striking together of a vessel and any object, above or below the surface of the water, except the bottom.

ff. WHAT, IN YOUR OPINION, CAUSED THE ACCIDENT?

(1) Check those conditions which, in your opinion, were the cause of the accident. Do not overlook the possibility of alcohol or drug intoxication.

gg. WAS THE BOAT ADEQUATELY EQUIPPED WITH CG APPROVED PERSONAL FLOTATION DEVICES (PFD)?

(1) Check the appropriate box. (Approved lifesaving or personal flotation devices have labels of Coast Guard approval attached to them.) If the accident involves a drowning, on a supplemental report form list the manufacturer(s) and approval numbers for the lifesaving devices on board. Also state where they were stored, if they were accessible, and if they were stored in plastic or other type of bags.

hh. WAS THE VESSEL CARRYING NON-APPROVED PFD's?

(1) Check the appropriate box. Identify the manufacturer(s) of the non-approved PFD's on board.

ii. FIRE EXTINGUISHERS—WERE THEY USED?

(1) Check the appropriate box and list the type(s) and number of fire extinguishers used.

jj. PROPERTY DAMAGE (Est.)

(1) Estimate the value of and carefully describe the damage to the boat and all other objects involved. (This should be done before the boat is moved or towed. This information will assist any further investigations from mistaking damage caused during the removal operation from that caused by the accident itself.)

kk. NAME AND ADDRESS OF OWNER

(1) List the name, address, and phone number of the owner of any property damaged during the accident if other than the boat, for example, a dock owner or owner of a second vessel.

ll. DECEASED

(1) If death resulted from the accident, list the decedent's name, address, date of birth and check the appropriate boxes. It may be necessary to await the coroner's or medical examiner's determination of the cause of death before this question can be fully answered. If such a report is available, a copy should be attached. Care should be taken to insure that a death caused by a heart attack, stroke, or other ailment is not attributed to drowning.

mm. INJURED

(1) If personal injuries resulted, list the injured person's complete name, address, date of birth, nature of injury and check the appropriate box concerning incapacitation.

nn. ACCIDENT DESCRIPTION

(1) Sketch the accident scene in the space provided or on a supplemental page. A narrative description should be used if it will help to clarify the accident diagram. Include in the sketch the direction of travel, wind and current, the details of any injuries or deaths, and

the location of obstructions and fixed objects pertinent to the accident.

oo. VESSEL NO. 2

(1) List the information requested for any other vessels involved in the accident. If two or more are involved, make certain to identify each adequately. Also complete the required boating accident report for each vessel.

pp. WITNESSES

(1) List the required information for all witnesses. If possible, statements should be taken and attached to the boating accident report.

qq. PERSON COMPLETING REPORT

(1) The individual or officer completing this report should fill in the requested information. Law enforcement personnel should use departmental address and phone number.

rr. FOR REPORTING AUTHORITY REVIEW

(1) Generally, this space is for the use of the state agency or USCG office which is responsible for the review of these reports.

(2) As you can see, the form is self-explanatory. All blocks should be completed. If a block is not applicable, indicate this by "NA." If information is not known, indicate this by writing "Unknown" in the applicable block.

(3) Remember, the preparation of this form is required of the operators or the owners of vessels involved in accidents unless they are deceased (except Michigan and Iowa in which state law requires that an officer of the law complete the report).

(4) If they are deceased, then you, as the boating safety officer on scene, may prepare the report. When

16.G.1.rr.(4)(Continued)

preparing or helping with this form, keep in mind that this information is vitally important to the Commandant for compiling statistics and determining areas where emphasis should be placed in the boating safety program.

H. BOATING ACCIDENT INVESTIGATION

1. The Coast Guard investigates all reportable boating accidents involving death, and some significant non-fatal accidents, on waters over which the Coast Guard has exclusive or joint jurisdiction. It is assumed that all boating accidents reported to a state will be investigated by state or local authorities, and as a practical matter, the duplication of investigations by state or local authorities and the Coast Guard would not normally be in the public interest.

2. The purpose of these investigations is to determine the cause of the accident so that appropriate measures may be taken to promote the safety of life and property. Coast Guard investigations are not intended to fix civil or criminal responsibility. The investigation of a boating accident must determine, as closely as possible, the following:

   a. What the cause of the accident was.

   b. Whether there is evidence that any failure of material (either physical or design) was involved or contributed to the casualty, so that proper recommendations may be made to prevent recurrence of similar casualties.

   c. Whether there is evidence that any misconduct, negligence, or willful violation of law on the part of any person contributed to the casualty.

   d. Whether there is evidence that any Coast Guard personnel or any representative or employee of any other government agency or any other person caused or contributed to the cause of the casualty.

3. The officer-in-charge of a Coast Guard Marine Safety office is responsible for investigating those fatal boating accidents requiring investigation that occur within his jurisdictional area. The findings in each investigation are transmitted to the Commandant in a detailed written narrative report. This narrative report, which includes findings of fact, conclusions, and recommendations by the investigating officer, is

reviewed and endorsed by the commanding officer of the Marine Safety Office and the district commander. It is then forwarded to the Commandant for final review and action.

4. Although only trained investigators from a Marine Safety Office are assigned to investigate fatal boating accidents, and investigators attached to district boating safety offices and boating safety teams are assigned to investigate some non-fatal accidents, you can be of assistance to these investigators by obtaining certain information. In those cases in which you come upon boating accidents, you will almost always arrive on the scene before an investigator. By obtaining information the investigator will need to complete his report, you will aid him greatly and you will eliminate a delay in the submission of the report.

5. Your investigative activities will normally consist of the following:

   a. Photograph the boat wreckage, the accident scene, and other points of interest.

   b. Collect the names, addresses, telephone numbers, and other general data of the boat occupants and witnesses.

   c. Although normally the investigator will interview the witnesses, you should obtain statement from the witnesses on scene and obtain answers to questions if requested by an investigating officer.

   d. Provide the owner/operator with a blank Boating Accident Report form (either state form or CG-3865).

   e. Collect that information detailed on CG-4885A (Figure 16-11, 16-12).

6. Should you be the first to arrive on the scene of a boating accident, you should take the following action:

   a. If a death or serious injury has occurred, immediately notify state or local law enforcement authorities, arrange to obtain aid for the injured, and administer first aid.

   b. Provide for the security and preservation of the accident scene until law enforcement personnel arrive.

c. Obtain the names and addresses of all witnesses to the casualty.

d. Identify vessels involved (including names of owner and/or operator).

e. Insure that the owner, operator, or some other responsible party for each vessel involved knows the accident reporting requirements. If all are deceased, compile the information required on CG-3865 and forward the same to the District Commander (b).

f. Record weather data (wind, seas, visibility, etc.).

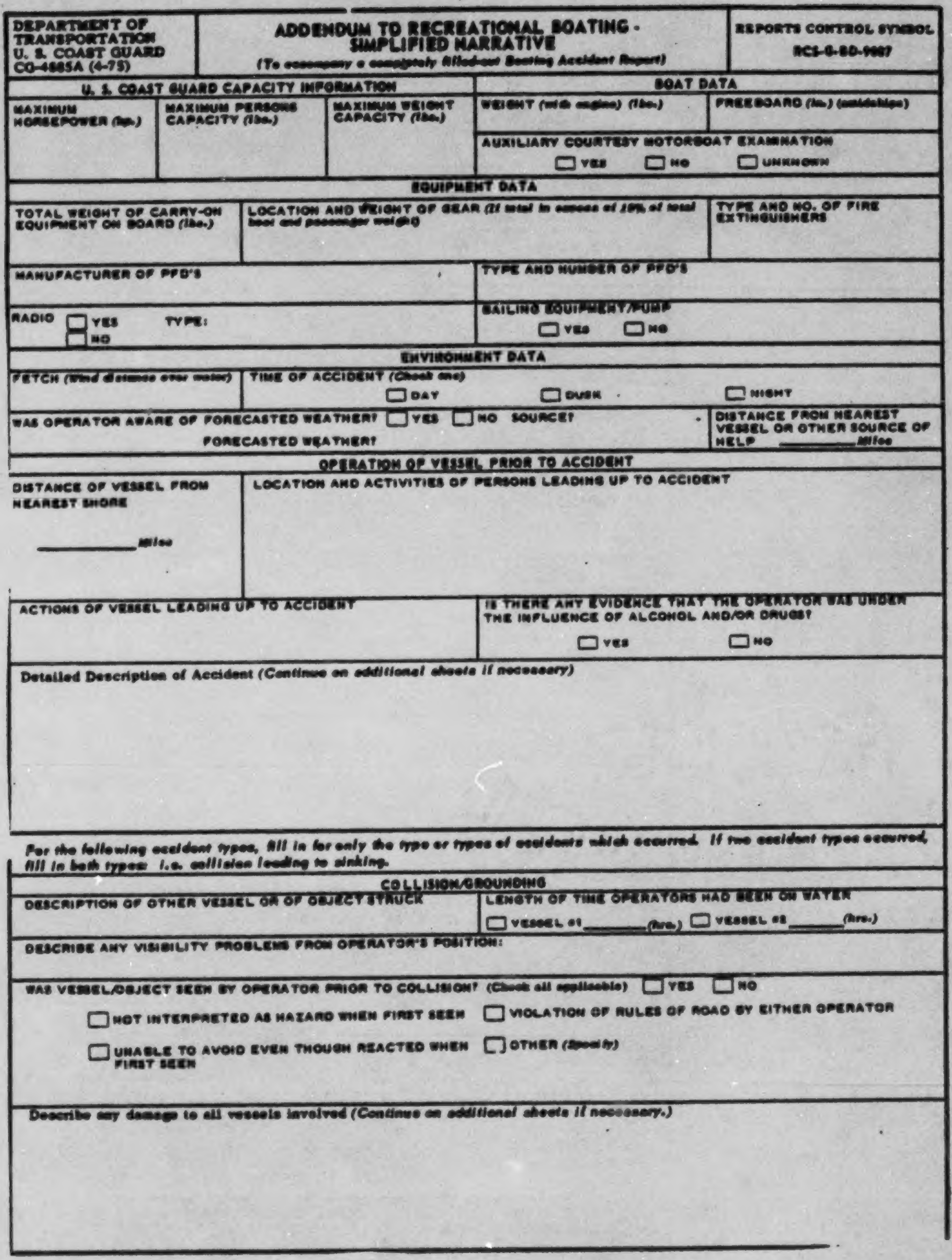
g. Identify law enforcement personnel investigating the casualty.

h. Determine the disposition of the bodies of any deceased persons.

i. If it appears that a Coast Guard aid to navigation may have caused or contributed to the casualty, notify your command immediately. Coast Guard investigating officer, or to other appropriate personnel in accordance with local policy.

j. Report the boating accident to the District Commander (b), and the nearest senior Coast Guard investigating officer, or to other appropriate personnel in accordance with local policy.

16.H.6.j.(Continued)



DEPARTMENT OF TRANSPORTATION
U. S. COAST GUARD
CG-4685A (4-75)

ADDENDUM TO RECREATIONAL BOATING - SIMPLIFIED NARRATIVE
(To accompany a completely filled-out Boating Accident Report)

REPORTS CONTROL SYMBOL
RCS-G-BD-9007

U. S. COAST GUARD CAPACITY INFORMATION

MAXIMUM HORSEPOWER (hp.)

MAXIMUM PERSONS CAPACITY (lbs.)

MAXIMUM WEIGHT CAPACITY (lbs.)

BOAT DATA

WEIGHT (with engine) (lbs.)

FREEBOARD (in.) (amidships)

AUXILIARY COURTESY MOTORBOAT EXAMINATION
☐ YES ☐ NO ☐ UNKNOWN

EQUIPMENT DATA

TOTAL WEIGHT OF CARRY-ON EQUIPMENT ON BOARD (lbs.)

LOCATION AND WEIGHT OF GEAR *(If total in excess of 10% of total boat and passenger weight)*

TYPE AND NO. OF FIRE EXTINGUISHERS

MANUFACTURER OF PFD'S

TYPE AND NUMBER OF PFD'S

RADIO ☐ YES ☐ NO TYPE:

BAILING EQUIPMENT/PUMP
☐ YES ☐ NO

ENVIRONMENT DATA

FETCH *(Wind distance over water)*

TIME OF ACCIDENT *(Check one)*
☐ DAY ☐ DUSK ☐ NIGHT

WAS OPERATOR AWARE OF FORECASTED WEATHER? ☐ YES ☐ NO SOURCE?
FORECASTED WEATHER?

DISTANCE FROM NEAREST VESSEL OR OTHER SOURCE OF HELP ________ *Miles*

OPERATION OF VESSEL PRIOR TO ACCIDENT

DISTANCE OF VESSEL FROM NEAREST SHORE
________ *Miles*

LOCATION AND ACTIVITIES OF PERSONS LEADING UP TO ACCIDENT

ACTIONS OF VESSEL LEADING UP TO ACCIDENT

IS THERE ANY EVIDENCE THAT THE OPERATOR WAS UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS?
☐ YES ☐ NO

Detailed Description of Accident *(Continue on additional sheets if necessary)*

For the following accident types, fill in for only the type or types of accidents which occurred. If two accident types occurred, fill in both types: i.e. collision leading to sinking.

COLLISION/GROUNDING

DESCRIPTION OF OTHER VESSEL OR OF OBJECT STRUCK

LENGTH OF TIME OPERATORS HAD BEEN ON WATER
☐ VESSEL #1 ________ *(hrs.)* ☐ VESSEL #2 ________ *(hrs.)*

DESCRIBE ANY VISIBILITY PROBLEMS FROM OPERATOR'S POSITION:

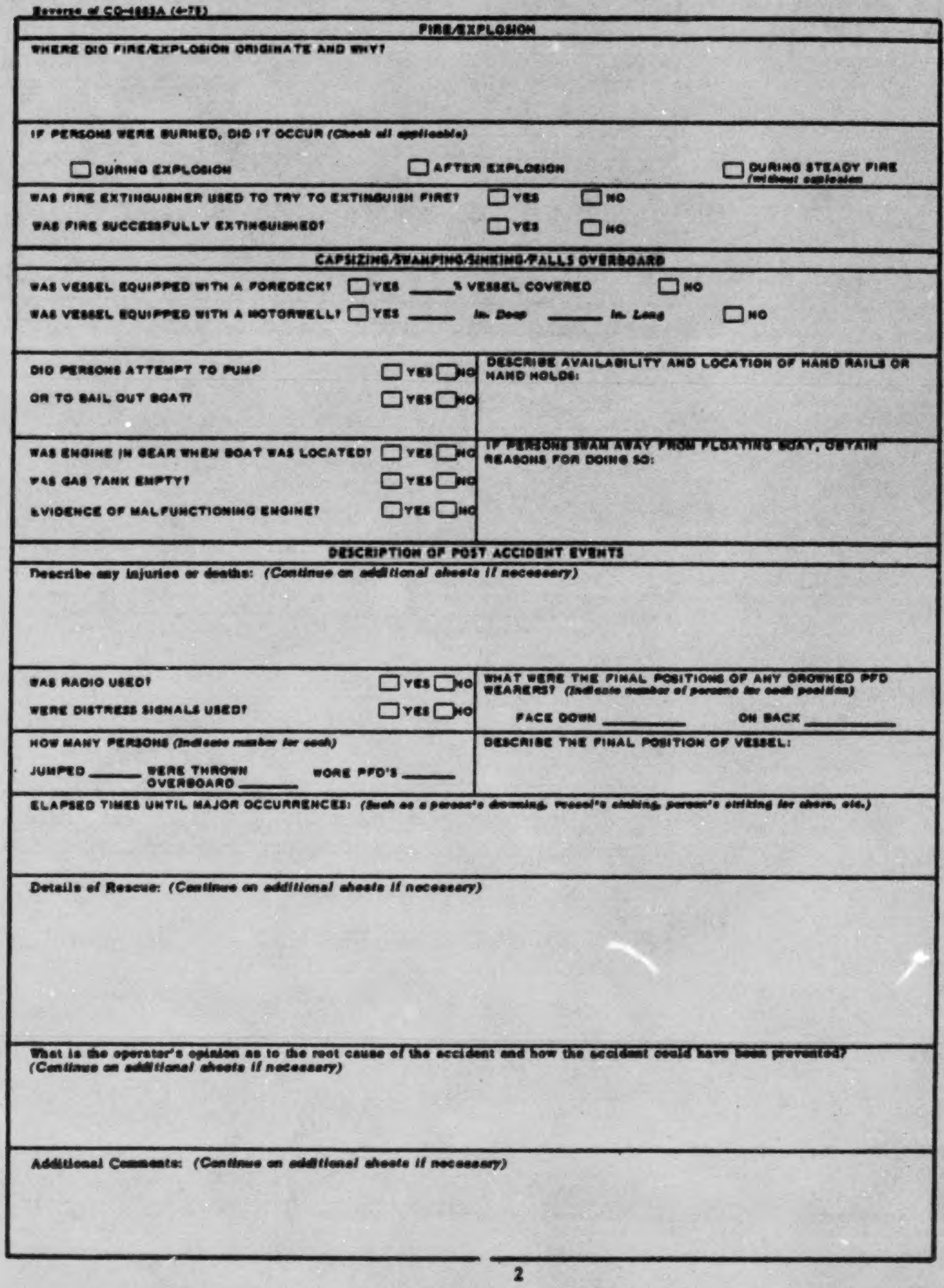
WAS VESSEL/OBJECT SEEN BY OPERATOR PRIOR TO COLLISION? *(Check all applicable)* ☐ YES ☐ NO

☐ NOT INTERPRETED AS HAZARD WHEN FIRST SEEN
☐ VIOLATION OF RULES OF ROAD BY EITHER OPERATOR
☐ UNABLE TO AVOID EVEN THOUGH REACTED WHEN FIRST SEEN
☐ OTHER *(Specify)*

Describe any damage to all vessels involved *(Continue on additional sheets if necessary.)*

Figure 16–11

16.H.6.j.(Continued)



Reverse of CG-[illegible]A (4-73)

FIRE/EXPLOSION

WHERE DID FIRE/EXPLOSION ORIGINATE AND WHY?

IF PERSONS WERE BURNED, DID IT OCCUR *(Check all applicable)*

☐ DURING EXPLOSION ☐ AFTER EXPLOSION ☐ DURING STEADY FIRE *(without explosion)*

WAS FIRE EXTINGUISHER USED TO TRY TO EXTINGUISH FIRE? ☐ YES ☐ NO

WAS FIRE SUCCESSFULLY EXTINGUISHED? ☐ YES ☐ NO

CAPSIZING/SWAMPING/SINKING/FALLS OVERBOARD

WAS VESSEL EQUIPPED WITH A FOREDECK? ☐ YES _____% VESSEL COVERED ☐ NO

WAS VESSEL EQUIPPED WITH A MOTORWELL? ☐ YES _____ *In. Deep* _____ *In. Long* ☐ NO

DID PERSONS ATTEMPT TO PUMP ☐ YES ☐ NO

OR TO BAIL OUT BOAT? ☐ YES ☐ NO

DESCRIBE AVAILABILITY AND LOCATION OF HAND RAILS OR HAND HOLDS:

WAS ENGINE IN GEAR WHEN BOAT WAS LOCATED? ☐ YES ☐ NO

WAS GAS TANK EMPTY? ☐ YES ☐ NO

EVIDENCE OF MALFUNCTIONING ENGINE? ☐ YES ☐ NO

IF PERSONS SWAM AWAY FROM FLOATING BOAT, OBTAIN REASONS FOR DOING SO:

DESCRIPTION OF POST ACCIDENT EVENTS

Describe any injuries or deaths: *(Continue on additional sheets if necessary)*

WAS RADIO USED? ☐ YES ☐ NO

WERE DISTRESS SIGNALS USED? ☐ YES ☐ NO

WHAT WERE THE FINAL POSITIONS OF ANY DROWNED PFD WEARERS? *(Indicate number of persons for each position)*

FACE DOWN _________ ON BACK _________

HOW MANY PERSONS *(Indicate number for each)*

JUMPED _____ WERE THROWN OVERBOARD _____ WORE PFD'S _____

DESCRIBE THE FINAL POSITION OF VESSEL:

ELAPSED TIMES UNTIL MAJOR OCCURRENCES: *(Such as a person's drowning, vessel's sinking, person's striking for shore, etc.)*

Details of Rescue: *(Continue on additional sheets if necessary)*

What is the operator's opinion as to the root cause of the accident and how the accident could have been prevented? *(Continue on additional sheets if necessary)*

Additional Comments: *(Continue on additional sheets if necessary)*

2

Figure 16–12

7. In order that you may properly respond to boating accidents and assist the MSO in their investigation, you should become acquainted with the commanding officer, Marine Safety Office, and have the name, address, and telephone number of the senior investigating officer assigned to the MSO office. If requested to assist the MSO in conducting an investigation, you will be informed by the investigating officer what information he needs.

8. Each unit having a boating safety capability should have certain boating accident forms and information in its boating safety kits. This might include:

   a. CG-3865, Boating Accident Report.

   b. Appropriate state boating accident forms for the state(s) in which your unit has responsibility (only Michigan, Texas, Maine, West Virginia and Iowa will not accept CG-3865 as meeting their reporting needs).

   c. CG-2692, Report of Vessel Casualty or Accident, for documented commercial vessels.

   d. CG-924E, Personal Injury or Loss of Life Report, for documented commercial vessels.

   e. Copies of state and Federal regulations concerning boating accidents.

   f. CG-4885-A Addendum to the Simplified Narrative.

I. PREPARATION OF CG-4885A, 16-12A (Figures 16-11 and 12)

1. U.S. COAST GUARD CAPACITY INFORMATION

   a. Boats under 20 ft. in length built after 1 Nov. 1972 are required to display prominently under the heading

U.S. COAST GUARD CAPACITY INFORMATION

   b. The maximum horsepower, persons capacity and weight capacity of the boat. Canoes, kayaks, and inflatables are exempt from this requirement.

2. BOAT DATA

a. Estimate boat weight taking into consideration the size, construction material, and equipment. Boat weight might also be obtained from the owner or from literature. Boat weight, however, is not a critical item of information and undue effort should not be expended in finding it. A ball park estimate is adequate.

b. From witnesses determine what the freeboard was at the time of the accident.

c. A boat which has successfully completed an Auxiliary Courtesy Marine Examination will have a decal. Normally this will be on the lower corner of the port side of the windshield or a lower forward corner of a portside window. On boats with no windshield, the decal may be offered to the dashboard or the back of a seat.

3. EQUIPMENT DATA

a. Estimate the total weight of carry-on equipment. If necessary, use a sketch to show how weight was distributed in the boat.

b. Fire extinguishers are classified by letter and number according to the type of fire (A, B, or C) it may be expected to extinguish, and the size of the extinguisher.

c. All Coast Guard approved equipment bears an approval number and the type of fire extinguisher on the label.

d. The manufacturer, type, and approval number of PFDs must be clearly marked on each PFD.

e. Indicate type of radio (FM, CB, etc.).

f. Indicate if bailing equipment was electrical or manual.

4. ENVIRONMENT DATA

a. Fetch is the total distance the wind travels over the water. It may be indicated as cross-ocean. This item is not applicable to small, fast running rivers and streams.

b. Distance from the nearest vessel to other source of help includes other vessels and witnesses on shore as well as marinas, etc.

5. OPERATION OF VESSEL PRIOR TO THE ACCIDENT

a. List any actions leading up to the accident. Describe any stressors (fatigue, intoxication, arguments, etc.) which may have effected the operator. Were there any mechanical difficulties or abnormal occurrences affecting the vessel?

6. COLLISION/GROUNDING

a. In description of vessel or object note how it did or did not contrast with its surroundings.

b. Note any obstructions to the operator's vision. This can include glare, reflection of lights off of windshield, persons on bow, rain, etc.

7. FIRE/EXPLOSION

a. Try to determine origin of fire from witnesses' statements and appearance of boat wreckage. Consider fuel system, electrical system, stoves, lanterns, heaters, etc.

8. CAPSIZING/SWAMPING/SINKING/FALLS OVERBOARD

a. Make your best estimate on foredeck and motorwell.

9. In general when completing CG-4885A provide all the information available on scene. It is often seemingly insignificant details that are the most important items derived from an investigation.

J. SUMMARY

1. A boating accident is any accident involving a vessel that is used by its operator for recreational purposes or that is required to be numbered (including those documented for pleasure). The accident is to be reported by the operator of the boat when the accident results in any one or more of the following:

a. A person dies;

b. A person is injured or receives medical treatment beyond first aid;

c. Damage to the vessel or vessels and other property totals more than $200.00 or there is a complete loss of a vessel; or

d. A person disappears from the vessel under circumstances that indicate death or injury.

2. If a boating accident occurs, the operator must submit a written report to the state in which the accident occurred or if you are reporting an accident in Alaska, New Hampshire, or Washington, send it to the nearest Coast Guard authorities. This requirement applies to vessels documented for pleasure as well as to undocumented pleasure vessels. Documented commercial vessels reporting a marine casualty will submit their report to the commander office, Marine Safety Office nearest the location of the accident or port of arrival. Boating accident reports may be submitted either in written narrative form, on a state boating accident form, or on the Coast Guard Boating Accident Report (CG-3865). Marine casualties are reported on a Vessel Casualty Report (CG-2692) or Report of Personal Injury or Loss of Life (CG-924E). To recall the contents of each form, refer to Figures 16-1 through 16-12.

3. Through a Coast Guard liaison officer, states furnish the Coast Guard with a copy of each boating accident report. From these reports, the Commandant processes each accident report, compiles statistics, and publishes the statistics in Boating Statistics (year) (CG-357). State boating accident reporting requirements must be at least as strict as Federal reporting requirements. When accidents are reported for which state requirements are stricter than the Coast Guard's, the Commandant does not include the data in the statistics. By studying these statistics, the Commandant can determine reasons for the accidents and then issue regulations and information to the public in order to reduce or prevent vessel casualties.

4. Even though each party involved in a boating accident must file an accident report, you may be asked to assist in the report preparation and, therefore, must know how to prepare boating accident reports (especially the CG-3865).

5. A trained investigator investigates boating accidents, but you can assist him, especially when you arrive at the scene before him, by obtaining as much of the necessary information as possible (as listed earlier in this section).

6. If you are the first to arrive at the scene of a boating accident, notify state or local law enforcement authorities if a death or serious injury occurred, and also obtain aid and administer first aid. Provide security and preservation of the accident scene until law enforcement personnel arrive. Record weather data. Obtain names and addresses of witnesses and identify the vessel and its owner and/or operator. Inform the owner/operator of reporting requirements, and if all boat occupants are deceased, fill out a CG-3865 and forward it to your district commander (b). Determine the disposition of the deceased persons. Report the accident to your District Commander (b), and the nearest MSO, or to other appropriate personnel in accordance with COMDTINST 5100.25B and district instructions. If a Coast Guard aid to navigation caused or contributed to the accident, notify your command immediately.

CHAPTER 17: REGATTAS AND MARINE EVENTS

A. INTRODUCTION

1. If you are assigned to a unit located in an area where boating is a popular sport, you will more than likely come in contact with marine events or regattas. The information contained herein will provide you with a working knowledge of marine events and regattas so you can respond to questions from the public. If you are assigned as a marine event patrol commander, this information will help you to carry out your duties.

2. We will cover the laws and regulations governing marine events and regattas, the application and approval of permits to hold a marine event, the issuance of Special Local Regulations by the Coast Guard, special aids to navigation which may be issued for a marine event, the assignment of a patrol commander, and the duties of a patrol commander and other members of the patrol.

B. LAWS

1. The laws which govern marine events (called marine parades in the law) and regattas are contained in 46 USC 454 through 46 USC 457. These laws read as follows:

   a. 46 USC 454 Regulations for Regattas

   "The Commandant of the Coast Guard is authorized and empowered in his discretion to issue from time to time regulations, not contrary to law, to promote the safety of life on navigable waters during regattas or marine parades."

   b. 46 USC 455 Enforcement of Regulations;

   Use of Public or Private Vessels

   "To enforce such regulations the Commandant of the Coast Guard may detail any public vessel in the service of the Coast Guard and make use of any private vessel tendered gratuitously for the purpose, or upon the request of the Commandant of the Coast Guard the head of any other department may enforce the regulations issued under sections 454 and 456 of this title by means of any public vessel of such department and of any private vessel tendered gratuitously for the purpose."

c. 46 USC 456 Transfer of Authority to Regulate to Head of Other Department

"The authority and power bestowed upon the Commandant of the Coast Guard by sections 454 and 455 of this title may be transferred for any special occasion to the head of another department by the President whenever in his judgment such transfer is desirable."

d. 46 USC 457 Penalties for Violations of Regulations

e. "For any violation of regulations issued pursuant to sections 454–456 of this title the following penalties shall be incurred:

(1) A licensed officer shall be liable to suspension or revocation of license in the manner now prescribed by law for incompetency or misconduct.

(2) Any person in charge of the navigation of a vessel other than a licensed officer shall be liable to a penalty of $500.

(3) The owner of a vessel (including any corporate officer of a corporation owning the vessel) actually on board shall be liable to a penalty of $500, unless the violation of regulations shall have occurred without his knowledge.

(4) Any other person shall be liable to a penalty of $250.

2. The Commandant of the Coast Guard is authorized and empowered to mitigate or remit any penalty herein provided for in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws."

C. REGULATIONS

1. In accordance with the authority granted in 46 USC 454, the Commandant issued regulations concerning marine events and regattas. These regulations are found in Title 33 Code of Federal Regulations, Part 100, and read as follows:

17.C.1.

a. **100.01 Purpose and Intent**

"(1) The purpose of the regulations in this part is to provide effective control over regattas and marine parades conducted on the navigable waters of the United States so as to insure safety of life in the regatta or marine parade area."

b. **100.05 Definition of Terms Used in This Part**

"(1) **Regatta** or **marine parade** means an organized water event of limited duration which is conducted according to a prearranged schedule.

"(2) **Navigable waters of the United States** means those waters of the United States, including the territorial sea adjacent thereto, the general character of which is navigable and which, either by themselves or by uniting with other waters, form a continuous waterway on which boats or vessels may navigate or travel between two or more States, or to or from foreign nations.

"(3) **District Commander** means the Commander of the Coast Guard District in which the regatta or marine parade is intended to be held.

"(4) **State authority** means any official or agency or a State having power under the law of such State to regulate regattas or marine parades on waters over which such State has jurisdiction."

c. **100.10 Coast Guard-State Agreements**

"(1) The District Commander is authorized to enter into agreements with State authorities permitting, regulation by the State of such classes of regatta or marine parade on the navigable waters of the United States as, in the opinion of the District Commander, the State is able to regulate in such a manner as to insure safety of life. All such agreements shall reserve to the District Commander the right to regulate any particular regatta or marine parade when he deems such action to be in the public interest."

d. **100.15 Submission of Application**

"(1) An individual or organization planning to hold a regatta or marine parade which, by its nature, circumstances or location, will introduce extra or unusual hazards to the safety of life on the navigable waters of the United States, shall submit an application to the Coast Guard District Commander having cognizance of the area where it is intended to hold such regatta or marine parade. Examples of conditions which are deemed to introduce extra or unusual hazards to the safety of life include but are not limited to: an inherently hazardous competition, the customary presence of commercial or pleasure craft in the area, any obstruction of navigable channel which may reasonably be expected to result, and the expected accumulation of spectator craft.

"(2) Where such events are to be held regularly or repeatedly in a single area by an individual or organization, the Commandant or the District Commander may, subject to conditions set from time to time by him, grant a permit for such series of events for a fixed period of time, not to exceed one year.

"(3) The application shall be submitted no less than 30 days prior to the start of the proposed event.

"(4) The application shall include the following details:

(a) Name and address of sponsoring organization.

(b) Name, address, and telephone of person or persons in charge of the event.

(c) Nature and purpose of the event.

(d) Information as to general public interest.

(e) Estimated number and types of watercraft participating in the event.

(f) Estimated number and types of spectator watercraft.

(g) Number of boats being furnished by sponsoring organizations to patrol event.

(h) A time schedule and description of events.

(i) A section of a chart or scale drawing showing the boundaries of the event, various water courses or areas to be utilized by participants, officials, and spectator craft."

e. **100.20 Action on Application for Event Assigned to State Regulation by Coast Guard-State Agreement**

"(1) Upon receipt of an application for a regatta or marine parade of a type assigned to a State for regulation under a Coast Guard-State agreement, the District Commander will forward the application to the State authority having cognizance of the event. Further processing and decision upon such an application shall be conducted by the State."

f. **100.25 Action on Application for Event Not Assigned to State Regulation by Coast Guard-State Agreement**

"(1) Where an event is one of a type not assigned to the State for regulation under a Coast Guard-State agreement (or where no such agreement has been entered), the Commander of a Coast Guard District who receives an application for a proposed regatta or marine parade to be held upon the navigable waters of the United States within his district shall take the following action:

(a) He shall determine whether the proposed regatta or marine parade may be held in the proposed location with safety of life. To assist in his determination, he may, if he deems it necessary, hold a public hearing to obtain the views of all persons interested in, or who will be affected by, the regatta or marine parade.

(b) He will notify the individual or organization which submitted the application:

1. That the application is approved, and the nature of the special local regulations, if any, which he will promulgate pursuant to part 100.35; or

2. That the interest of safety of life on the navigable waters of the United States requires specific change or changes in the application before it can be approved; or,

3. That the event requires no regulation or patrol of the regatta or marine parade area; or,

4. That the application is not approved, with reasons for such disapproval."

g. **100.30 Approval Required for Holding Event**

"(1) The Commander of a Coast Guard District, after approving the plans for the holding of a regatta or marine parade within his district, is authorized to promulgate such special local regulations as he seems necessary to insure safety of life on the navigable waters immediately prior to, during, and immediately after the approved regatta or marine parade. Such regulations may include a restriction upon, or control of, the movement of vessels through a specified area immediately prior to, during, and immediately after the regatta or marine parade.

"(2) After approving the plans for the holding of a regatta or marine parade upon the navigable waters within his district, and promulgating special regulations thereto, the Commander of a Coast Guard District shall give the public full and adequate notice of the dates of the regatta or marine parade, together with full and complete information of the special local

17.C.1.g.(2)(Continued)

regulations, if there be such. Such notice should be published in the local notices to mariners.

"(3) The special local regulations referred to in paragraph (a) of this section, when issued and published by the Commander of a Coast Guard District, shall have the status of regulations issued pursuant to the provisions of section 1 of the Act of April 28, 1908, as amended (46 U.S.C. 454)."

h. 100.40 Patrol of the Regatta or Marine Parade

"(1) The Commander of a Coast Guard District in which a regatta or marine parade is to be held may detail, if he deems the needs of safety require, one or more Coast Guard vessels to patrol the course of the regatta or marine parade for the purpose of enforcing not only the special local regulations but also for assistance work and the enforcement of laws generally.

"(2) The Commander of a Coast Guard District may also utilize any private vessel or vessels to enforce the special local regulations governing a regatta or marine parade provided such vessel or vessels have been placed at the disposition of the Coast Guard pursuant to section 826 in Title 14, U.S. Code, for such purpose by any member of the Coast Guard Auxiliary, or any corporation, partnership, or association, or by any State or political subdivision thereof. Any private vessel so utilized shall have on board an officer or petty officer of the Coast Guard who shall be in charge of the vessel during the detail and responsible for the law enforcement activities or assistance work performed by the vessel during such detail. Any private vessel so utilized will display the Coast Guard ensign while engaged in this duty.

"(3) The Commander of a Coast Guard District may also utilize any private vessel or vessels placed at the disposition of the Coast Guard pursuant to section 826 in Title 14, U.S. Code, by any member of the Coast Guard Auxiliary, or any corporation, partnership, or association, or by any State or

17.C.1.h.(3)(Continued)

political subdivision thereof, to patrol the course of the regatta or marine parade for the purpose of promoting safety by performing assistance work, effecting rescues, and directing the movement of vessels in the vicinity of the regatta or marine parade. Vessels utilized under the authority of this paragraph are not authorized to enforce the special local regulations or laws generally."

QUESTION: In view of the fact that law implies that the officer or petty officer assigned to a civilian craft is in charge of such craft, is his responsibility and authority aboard this craft extended beyond that of law enforcement and SAR, i.e., navigation, conduct of crew, etc.?

ANSWER: This question is best answered by the below statement which is contained in the Auxiliary Manual (CG-305) and reads: "...assuming that the Auxiliary vessel has been accepted for and assigned to a specific operation in charge of its owner Auxiliary member, the presence of Coast Guard personnel is for the sole purpose of exercising police powers and law enforcement authority. In the execution of law enforcement duties, it may become necessary for the Coast Guard person aboard the vessel to direct the Auxiliarist in the movement of his vessel such as to pursue, overtake, or come alongside another vessel. In complying with such directions, the Auxiliarist-Master has the sole responsibility for the safety of his vessel and of the crew. If in his considered judgment the directed operation is not within the capabilities of his vessel, or if he concludes that such movement would hazard his vessel, he may decline the direction. The Coast Guard does not possess authority to take over command of the vessel or to compel the Auxiliarist to comply with his request. Such action may properly become a matter of investigation by the district commander at a later time. Unless the orders specifically designate that the Auxiliary facility vessel shall be in charge and in command of Coast Guard personnel, the owner-Auxiliarist (or such other Auxiliarist designated by competent orders) shall be in charge and in command of the vessel (Master), and as such he has the sole responsibility for its operations."

17.C.1.h.(3)(Continued)

i. **100.45 Establishment of Aids to Navigation**

"(1) The Commander of a Coast Guard District will establish and maintain only those aids to navigation as he deems necessary to assist in the observance and enforcement of the special local regulations issued by him. All other aids to navigation incidental to the holding of a regatta or marine parade shall be considered as private aids to navigation."

D. APPLICATION AND APPROVALS

1. The regulations covering application and approval of marine events or regattas are listed in 33 CFR 100.15, 100.20, and 100.30. A further explanation of each is provided below.

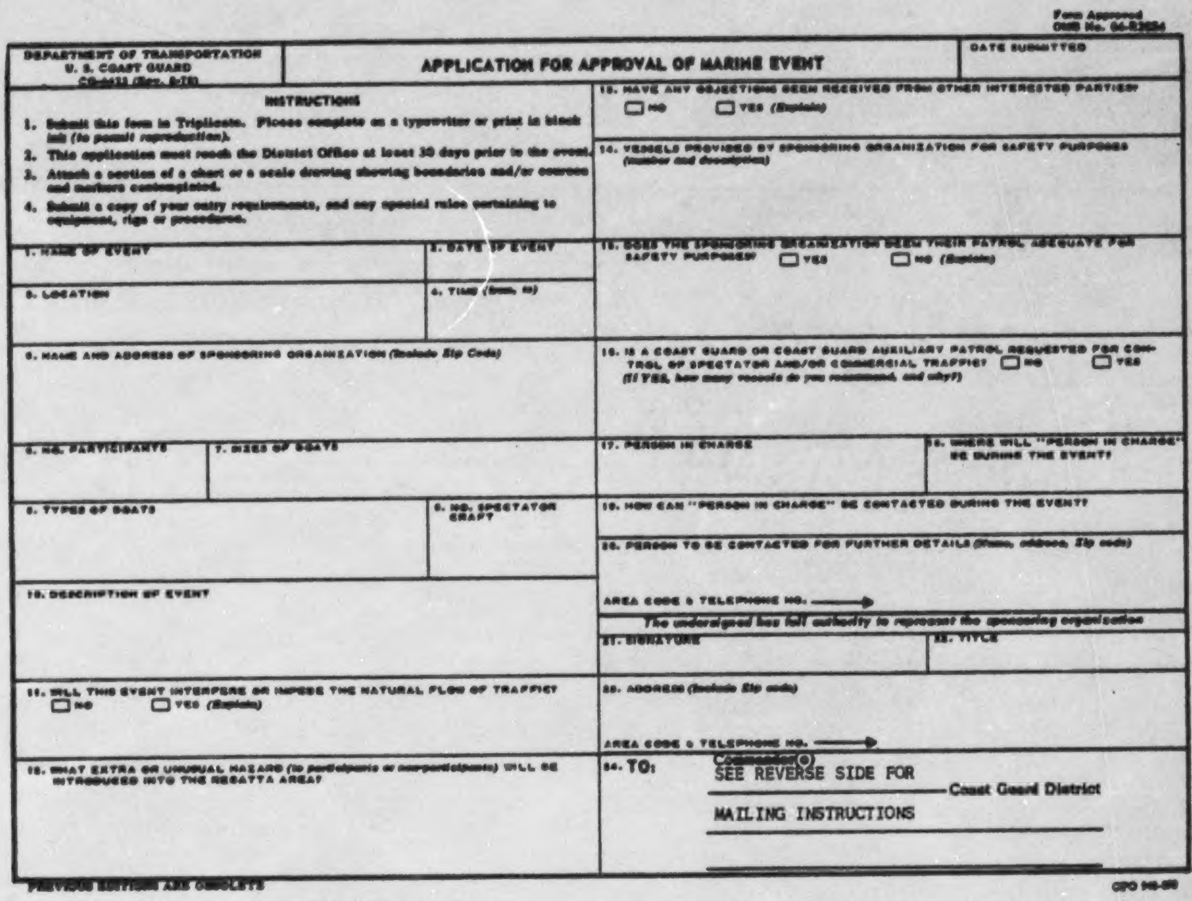
2. An individual or organization planning to hold a marine event on the navigable waters of the United States must submit an application to hold such event 30 days in advance of the date on which the event is to be held. Figure 17-1 is a copy of this application.

3. This application should be submitted to the district commander or to a State (where the event will be held) having a Coast Guard-State Marine Event Agreement. Various districts may differ in their policies concerning the submission of these applications. You should review your 5903 series to district instructions or your district OPLAN to find out what the submission policy is in your district.

4. The ever-increasing number of boaters and boating organizations has caused the number of marine events to increase tremendously in the past few years. The number of events will continue to increase, because the Coast Guard Chief Counsel has ruled that a marine event includes: "Any concentration of traffic on water, craft or not, participant or spectator, of a competitive or noncompetitive nature, which is organized, limited in duration, conducted according to a pre-arranged schedule and which would interfere with the ordinary Rules of the Road in such a way as to require supplementary regulations." This could include an air show over water or a fireworks display over water (which originated on land or barges), in addition to the typical events such as sailboat races, motorboat races, water parades, and water ski shows. Thus, the Coast Guard's authority covers events on, in and under the water if the activity restricts the normal flow of navigation.

5. In order to process all of the anticipated applications for marine events and to assist the public in properly applying for a permit, the Coast Guard sends annual notices to all boat clubs and yachting associations who normally conduct regattas and marine events.

17.D.5.(Continued)



Form Approved
OMB No. [illegible]

DEPARTMENT OF TRANSPORTATION
U. S. COAST GUARD
CG-[illegible]

APPLICATION FOR APPROVAL OF MARINE EVENT

DATE SUBMITTED

INSTRUCTIONS

1. Submit this form in Triplicate. Please complete on a typewriter or print in black ink (to permit reproduction).
2. This application must reach the District Office at least 30 days prior to the event.
3. Attach a section of a chart or a scale drawing showing boundaries and/or courses and markers contemplated.
4. Submit a copy of your entry requirements, and any special rules pertaining to equipment, rigs or procedures.

1. NAME OF EVENT
2. DATE OF EVENT
3. LOCATION
4. TIME (from, to)
5. NAME AND ADDRESS OF SPONSORING ORGANIZATION (Include Zip Code)
6. NO. PARTICIPANTS
7. SIZES OF BOATS
8. TYPES OF BOATS
9. NO. SPECTATOR CRAFT
10. DESCRIPTION OF EVENT
11. WILL THIS EVENT INTERFERE OR IMPEDE THE NATURAL FLOW OF TRAFFIC? ☐ NO ☐ YES (Explain)
12. WHAT EXTRA OR UNUSUAL HAZARD (to participants or nonparticipants) WILL BE INTRODUCED INTO THE REGATTA AREA?
13. HAVE ANY OBJECTIONS BEEN RECEIVED FROM OTHER INTERESTED PARTIES? ☐ NO ☐ YES (Explain)
14. VESSELS PROVIDED BY SPONSORING ORGANIZATION FOR SAFETY PURPOSES (number and description)
15. DOES THE SPONSORING ORGANIZATION DEEM THEIR PATROL ADEQUATE FOR SAFETY PURPOSES? ☐ YES ☐ NO (Explain)
16. IS A COAST GUARD OR COAST GUARD AUXILIARY PATROL REQUESTED FOR CONTROL OF SPECTATOR AND/OR COMMERCIAL TRAFFIC? ☐ NO ☐ YES (If YES, how many vessels do you recommend, and why?)
17. PERSON IN CHARGE
18. WHERE WILL "PERSON IN CHARGE" BE DURING THE EVENT?
19. HOW CAN "PERSON IN CHARGE" BE CONTACTED DURING THE EVENT?
20. PERSON TO BE CONTACTED FOR FURTHER DETAILS (Name, address, Zip code)
AREA CODE & TELEPHONE NO. →

The undersigned has full authority to represent the sponsoring organization

21. SIGNATURE
22. TITLE
23. ADDRESS (Include Zip code)
AREA CODE & TELEPHONE NO. →
24. TO: Commander(s)
SEE REVERSE SIDE FOR ________ Coast Guard District
MAILING INSTRUCTIONS

PREVIOUS EDITIONS ARE OBSOLETE

GPO [illegible]

— Application for Approval of Marine Event.

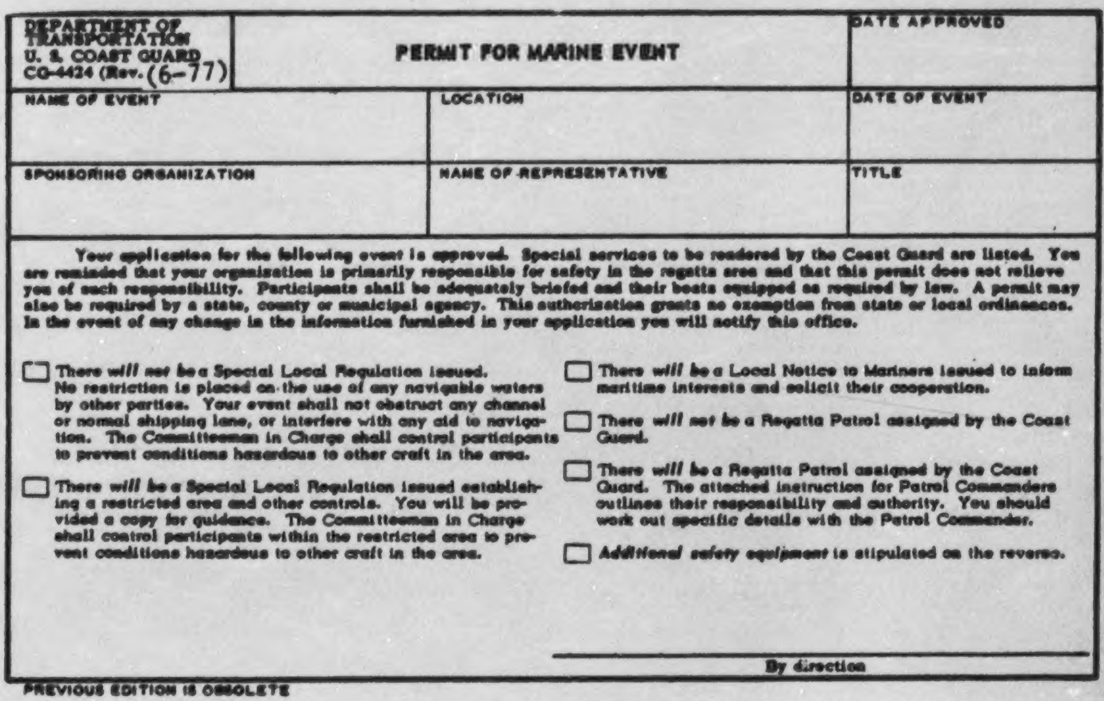
Figure 17-1

17.D.5.(Continued)

This notice contains application forms and instructions for applying for a Permit for Marine Event. The Coast Guard-State Marine Event Agreements designate which agency (State or Coast Guard) will issue the permit for certain events.

6. As previously stated, the district commander acts on applications submitted to the Coast Guard. He either (1) approves them, (2) disapproves them, (3) returns them without action because a permit is not required, or (4) returns them for additional information or changes. Applications submitted to a State are processed in much the same manner.

7. If an application is approved by the Coast Guard, a Permit for Marine Event is issued. Figure 17-2 is a copy of this permit. This permit will specify one or more of the following:



DEPARTMENT OF TRANSPORTATION U. S. COAST GUARD CG-4424 (Rev. (6-77)	**PERMIT FOR MARINE EVENT**	DATE APPROVED
NAME OF EVENT	LOCATION	DATE OF EVENT
SPONSORING ORGANIZATION	NAME OF REPRESENTATIVE	TITLE

Your application for the following event is approved. Special services to be rendered by the Coast Guard are listed. You are reminded that your organization is primarily responsible for safety in the regatta area and that this permit does not relieve you of such responsibility. Participants shall be adequately briefed and their boats equipped as required by law. A permit may also be required by a state, county or municipal agency. This authorization grants no exemption from state or local ordinances. In the event of any change in the information furnished in your application you will notify this office.

☐ There *will not be* a Special Local Regulation issued. No restriction is placed on the use of any navigable waters by other parties. Your event shall not obstruct any channel or normal shipping lane, or interfere with any aid to navigation. The Committeeman in Charge shall control participants to prevent conditions hazardous to other craft in the area.

☐ There *will be* a Special Local Regulation issued establishing a restricted area and other controls. You will be provided a copy for guidance. The Committeeman in Charge shall control participants within the restricted area to prevent conditions hazardous to other craft in the area.

☐ There *will be* a Local Notice to Mariners issued to infom maritime interests and solicit their cooperation.

☐ There *will not be* a Regatta Patrol assigned by the Coast Guard.

☐ There *will be* a Regatta Patrol assigned by the Coast Guard. The attached instruction for Patrol Commanders outlines their responsibility and authority. You should work out specific details with the Patrol Commander.

☐ *Additional safety equipment* is stipulated on the reverse.

By direction

PREVIOUS EDITION IS OBSOLETE

– Permit for Marine Event.

Figure 17–2

a. A patrol will or will not be assigned. This patrol will be designated as a Coast Guard Patrol, Coast Guard Auxiliary Patrol or a patrol to be assigned by the sponsor of the event.

b. Special Local Regulations will or will not be issued.

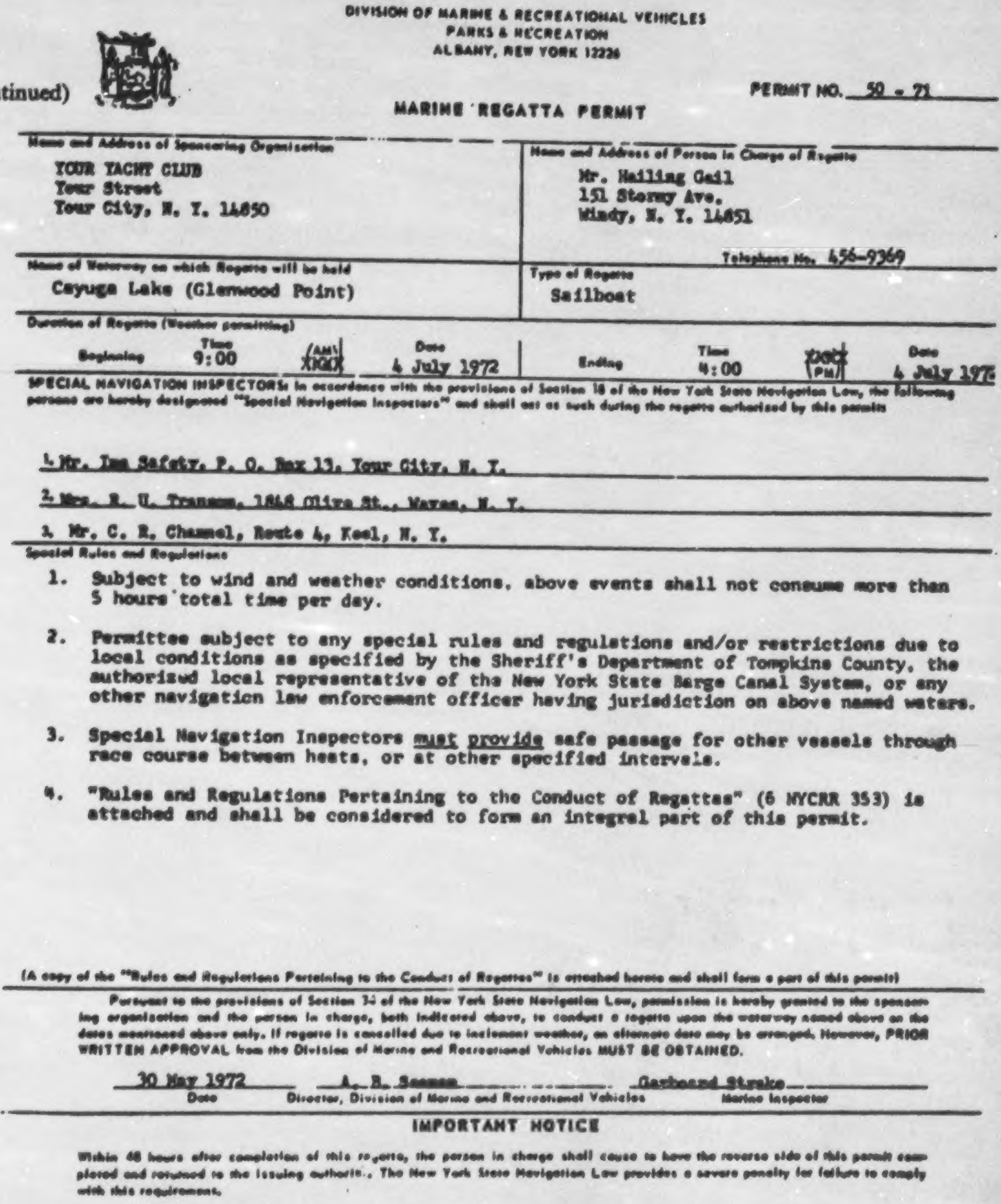
c. Local Notice to Mariners will or will not be issued.

d. Additional safety equipment is required. This equipment will be listed on the reverse side of the permit.

e. Special instructions. These instructions are also listed on the reverse of the permit.

f. Name of patrol commander. This is usually listed on the reverse of the permit.

8. Permits issued by the States follow the same procedures as the Coast Guard. Figure 17-3 is a sample copy of a New York Permit for Marine Event.



DIVISION OF MARINE & RECREATIONAL VEHICLES
PARKS & RECREATION
ALBANY, NEW YORK 12226

PERMIT NO. 50 - 71

MARINE REGATTA PERMIT

Name and Address of Sponsoring Organization YOUR YACHT CLUB Your Street Your City, N. Y. 14850	Name and Address of Person in Charge of Regatta Mr. Hailing Gail 151 Stormy Ave. Windy, N. Y. 14851 Telephone No. 456-9369
Name of Waterway on which Regatta will be held Cayuga Lake (Glenwood Point)	Type of Regatta Sailboat

Duration of Regatta (Weather permitting)

	Time		Date		Time		Date
Beginning	9:00	[✓ AM] XXXX	4 July 1972	Ending	4:00	XXXX [✓ PM]	4 July 1972

SPECIAL NAVIGATION INSPECTORS: In accordance with the provisions of Section 18 of the New York State Navigation Law, the following persons are hereby designated "Special Navigation Inspectors" and shall act as such during the regatta authorized by this permit:

1. Mr. Ima Safety, P. O. Box 13, Your City, N. Y.
2. Mrs. R. U. Transom, 1848 Olive St., Waves, N. Y.
3. Mr. C. R. Channel, Route 4, Keel, N. Y.

Special Rules and Regulations

1. Subject to wind and weather conditions, above events shall not consume more than 5 hours total time per day.
2. Permittee subject to any special rules and regulations and/or restrictions due to local conditions as specified by the Sheriff's Department of Tompkins County, the authorized local representative of the New York State Barge Canal System, or any other navigation law enforcement officer having jurisdiction on above named waters.
3. Special Navigation Inspectors must provide safe passage for other vessels through race course between heats, or at other specified intervals.
4. "Rules and Regulations Pertaining to the Conduct of Regattas" (6 NYCRR 353) is attached and shall be considered to form an integral part of this permit.

(A copy of the "Rules and Regulations Pertaining to the Conduct of Regattas" is attached hereto and shall form a part of this permit)

Pursuant to the provisions of Section 34 of the New York State Navigation Law, permission is hereby granted to the sponsoring organization and the person in charge, both indicated above, to conduct a regatta upon the waterway named above on the dates mentioned above only. If regatta is cancelled due to inclement weather, an alternate date may be arranged. However, PRIOR WRITTEN APPROVAL from the Division of Marine and Recreational Vehicles MUST BE OBTAINED.

30 May 1972	A. B. Seaman	Garboard Strake
Date	Director, Division of Marine and Recreational Vehicles	Marine Inspector

IMPORTANT NOTICE

Within 48 hours after completion of this regatta, the person in charge shall cause to have the reverse side of this permit completed and returned to the issuing authority. The New York State Navigation Law provides a severe penalty for failure to comply with this requirement.

— New York State Marine Regatta Permit.

Figure 17–3

E. SPECIAL REGULATIONS

1. As we have mentioned, when a Permit for Marine Event is issued, it may specify special regulations. These regulations can be in the form of Special Local Regulations or the special regulations listed on the permit.

2. Special Local Regulations are defined in 33 CFR 100.35. Any time a district commander feels that some special regulations are needed in an area where a marine event or regatta is to be held for the safe conduct of the event, he may issue Special Local Regulations. These regulations are made public through various means such as radio, television, messenger, and Notice to Mariners. The regulations state the rules to be followed in the area and have the force of law. Figure 17-4 is an example of Special Local Regulations issued by the Ninth Coast Guard District Commander.

3. The other special regulations involved with marine events are those which the district commander specifies to the sponsor of an event on the Permit for Marine Event. The special regulations can be any of, but not limited to, the following:

   a. Requiring a doctor to be on hand for the event.

   b. Requiring the sponsor of the event to provide pick-up boats.

   c. Requiring an ambulance to be located in one area.

   d. Regulations concerning the placement of aids to navigation or markers.

4. If you are assigned as patrol commander, you will be required to see that these regulations are carried out.

F. AIDS TO NAVIGATION AND MARKERS

1. The regulation on the use of aids to navigation in conjunction with a marine event of regatta is listed in 33 CFR 100.45. The use of regular aids to navigation is further authorized in 33 CFR 62.01–35, which states: "For the purpose of protecting life and property, the Commandant may authorize the establishment of aids to navigation to mark marine parades and regattas which are regulated by the Coast Guard." Any aid used for these events is of the standard type of Coast Guard aid. This same regulation also authorizes Coast Guard units to place special markers for marine events in lieu of Coast Guard aids to

17.F.1.(Continued)

navigation. These special markers must be supplied by the sponsor and delivered to the Coast Guard unit at no cost to the government.

2. If a sponsor's markers are not used for the purpose of safe navigation in the ordinary sense, but are used for special purposes such as to mark turning points, a starting line, a slalom course, or other restrictions to participants, and if the markers do not display the authorized characteristics prescribed by lateral or uniform waterway marker systems, such markers are not considered as "aids to navigation." Coast Guard approval is not required for this type of marker. **Under no circumstances should any regatta marker be in accordance with the lateral system.**

3. All aids to navigation and markers must be removed after the event. If the sponsor of an event desires to keep the aids or markers in the water after the event, he must submit application for private aids to navigation. This is usually when events will take place a number of times throughout the boating season.

G. MARINE EVENT OR REGATTA PATROLS

1. Either Coast Guard vessels or Coast Guard Auxiliary facilities may be used to patrol an event. When Auxiliary facilities are used, a Coast Guard commissioned, warrant, or petty officer is usually assigned so that the vessel has some law enforcement authority aboard. When an Auxiliary facility is used for a patrol, the facility must display the Coast Guard ensign.

2. If a Coast Guard patrol is assigned to patrol a marine event or regatta, a patrol commander will be designated by the district commander. Patrol commanders may be active duty Coast Guard commissioned, warrant, or petty officer. (Figure 17-6 is an example of a letter of designation for patrol commander.)

3. The designated Coast Guard patrol commander should contact the sponsor of the event and establish the following:

    a. A workable procedure for the accountability of each participant (particularly for sailing events).

    b. Emergency signals to be used in case of an accident.

    c. The patrol commander's authority to postpone, temporarily stop, or cancel the event due to violation of permit

17.G.3.c.(Continued)

stipulations, loss of control over participants or spectators, or the development of any dangerous condition.

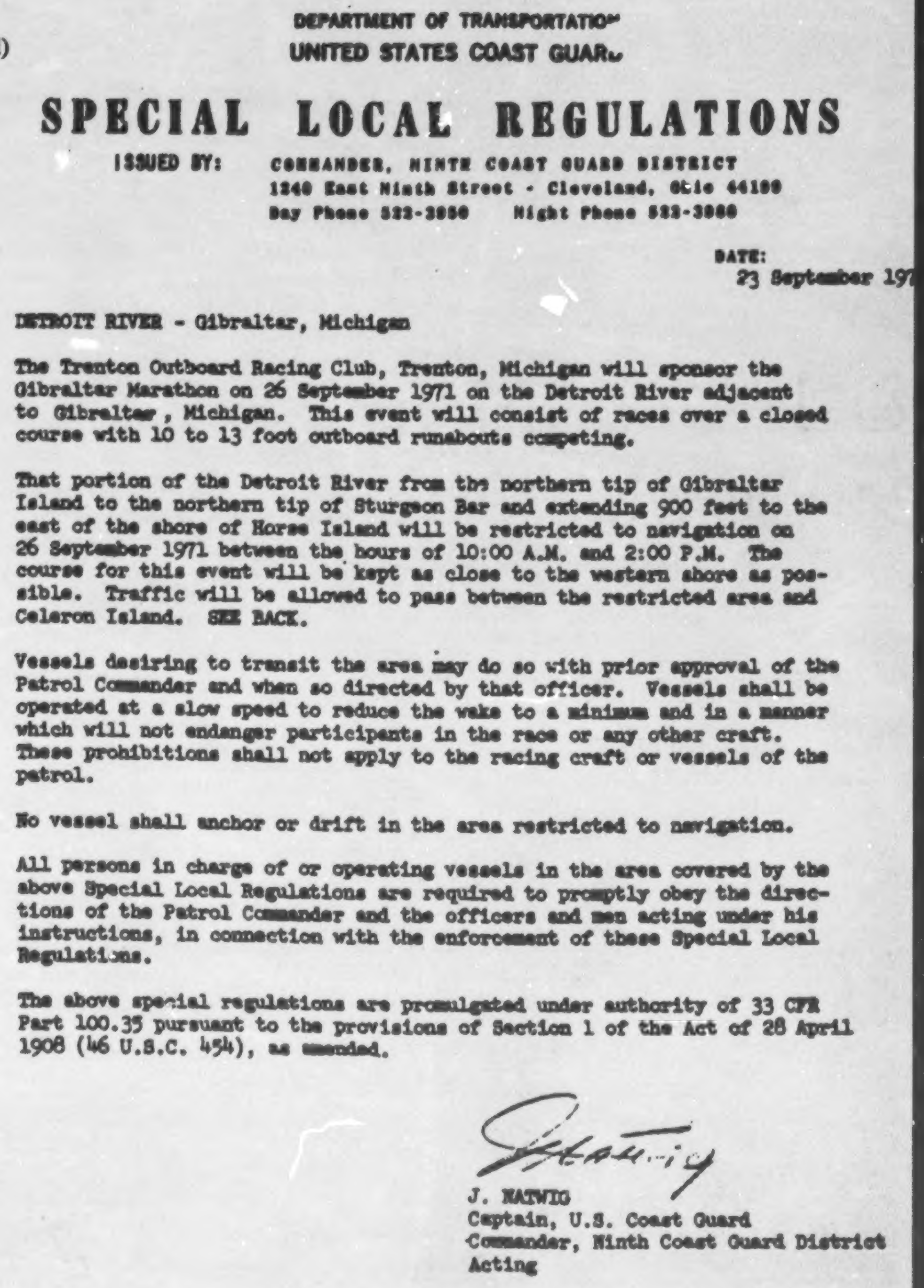
d. A clear understanding that the sponsor is completely responsible for the conduct of the event, including the placing and retrieving of course markers and the removal of obstructions or menaces to navigation and for the cancellation of the event when it is prudent for him to do so because of wind, rough water, or predicted bad weather conditions.

e. What medical and transportation facilities are available in case of injuries in the regatta area and where they will be located.

4. Even though not assigned as a patrol commander, Coast Guard commissioned, warrant, or petty officers assigned to patrol a marine event or regatta should perform the following duties:

a. Enforce the Special Local Regulations issued by the district commander for the event.

354



DEPARTMENT OF TRANSPORTATIO
UNITED STATES COAST GUAR

SPECIAL LOCAL REGULATIONS

ISSUED BY: COMMANDER, NINTH COAST GUARD DISTRICT
1240 East Ninth Street - Cleveland, Ohio 44199
Day Phone 522-3950 Night Phone 522-3980

DATE:
23 September 19

DETROIT RIVER - Gibraltar, Michigan

The Trenton Outboard Racing Club, Trenton, Michigan will sponsor the Gibraltar Marathon on 26 September 1971 on the Detroit River adjacent to Gibraltar, Michigan. This event will consist of races over a closed course with 10 to 13 foot outboard runabouts competing.

That portion of the Detroit River from the northern tip of Gibraltar Island to the northern tip of Sturgeon Bar and extending 900 feet to the east of the shore of Horse Island will be restricted to navigation on 26 September 1971 between the hours of 10:00 A.M. and 2:00 P.M. The course for this event will be kept as close to the western shore as possible. Traffic will be allowed to pass between the restricted area and Celeron Island. SEE BACK.

Vessels desiring to transit the area may do so with prior approval of the Patrol Commander and when so directed by that officer. Vessels shall be operated at a slow speed to reduce the wake to a minimum and in a manner which will not endanger participants in the race or any other craft. These prohibitions shall not apply to the racing craft or vessels of the patrol.

No vessel shall anchor or drift in the area restricted to navigation.

All persons in charge of or operating vessels in the area covered by the above Special Local Regulations are required to promptly obey the directions of the Patrol Commander and the officers and men acting under his instructions, in connection with the enforcement of these Special Local Regulations.

The above special regulations are promulgated under authority of 33 CFR Part 100.35 pursuant to the provisions of Section 1 of the Act of 28 April 1908 (46 U.S.C. 454), as amended.

J. HATWIG
Captain, U.S. Coast Guard
Commander, Ninth Coast Guard District
Acting

Figure 17-4 — Sample of Special Local Regulations.

b. Exercise authority as a law enforcement officer to correct any observed negligent operation. If a participant is involved in the negligent operation, the sponsor should be asked to have the condition corrected or the entrant withdrawn.

c. Exercise control over the movement of spectator and transient vessels around the event area.

5. The regatta patrol's mission should be carried out with firmness, diplomacy, and tact. The magic of the words **please** and **thank you** accompanying requests or reprimands cannot be overemphasized. If you are assigned to patrol craft, make sure you display the appropriate identification signs and fly the Coast Guard ensign.

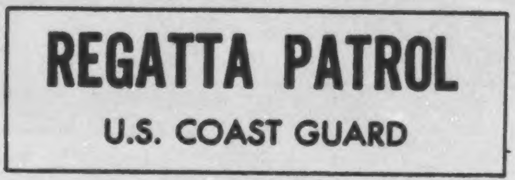
QUESTION:	What is meant by **identification signs**?
ANSWER:	Identification signs are those signs which identify vessels on patrol duty. Figure 17-5 shows these signs and also the control signals to control the movement of vessels in a regatta area. Figure 17-5 also gives the Federal stock number for each sign/signal and describes the signs and signals.

6. Another requirement of those assigned to patrol a marine event is to set up communications frequencies to be used between the other patrol boats and the sponsor and to enforce communications discipline on these frequencies.

7. The patrol commander will be required to submit a report of the patrol activities at the completion of the patrol. In order that you can supply the patrol commander with the required information for this report, you should maintain a log of the event, making sure to include the amount of spectator craft attending the event, any cases of negligent operation, any injuries, and number of spectators on shore. Districts may vary in the information required on the reports from the patrol commander, but those items just mentioned for inclusion in the log are standard requirements in all districts for patrol commander reports.

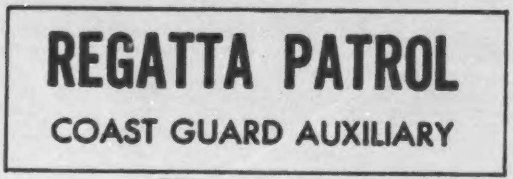
17.G.7.(Continued)

1. *Signs for Identification of Vessels on Patrol Duty:*
   a. Coast Guard Cutter:



FSN: CG9905-01-032-5052

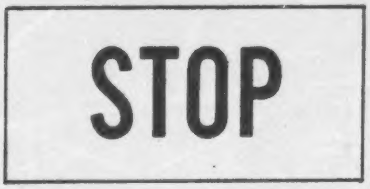
b. Auxiliary Facility under Orders:



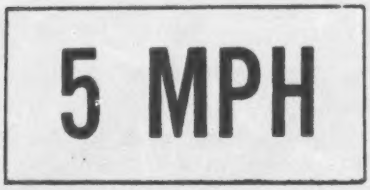
FSN: CG9905-01-032-5053

2. *Signals to Control Movement of Vessels in Regatta Area:*
   a. Sign one:
   Side 1:

FSN: CG9905-01-035-7919

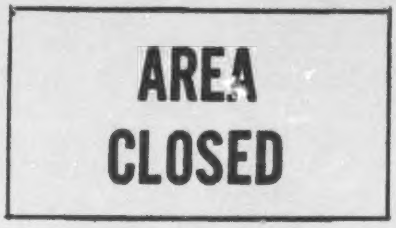


Side 2:

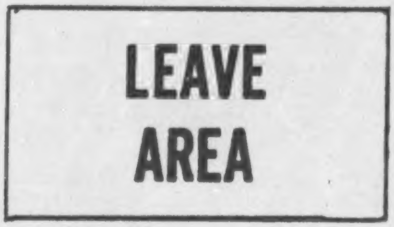


b. Sign two:
Side 1:

FSN: CG9905-01-032-5054



Side 2:



Design and Display Specifications:

a. Identification signs - These are to be constructed with solid black block letters on international red-orange background 9" by 48". Small letters are 2 inches in height; large letters, 4 inches in height. Each patrol vessel displays one sign visible from each beam, mounted forward, amidships, or aft, at the rail or on cabin top, as most convenient and conspicuous.

b. Control signals - These are constructed with solid black block letters on yellow background 12" by 30". Small letters are 4 inches in height; large letters, 6 inches. Signs are of lightweight construction, are fitted with handholds, and have different instructions on the reverse side. They are hand-held for display at close range to a boat being directed by the patrol craft. They are displayed as needed.

Figure 17-5

DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

Address reply to:
COMMANDER
Ninth Coast Guard District
1240 East 9th St.
Cleveland, Ohio 44199

3250.1

From: Commander, Ninth Coast Guard District
To:

Subj:

Ref: (a) Apendix II to Annex U, CCGDNINE OPLAN

1. You are designated Patrol Commander for subject event. You may reassign this responsibility at your discretion.

2. You are directed to assign such Coast Guard and/or Coast Guard Auxiliary forces to patrol this event on the dates indicated, as are necessary in your discretion, subject to other operational requirements on those dates.

3. This event will/will not be publicized in a local Notice to Mariners.

4. Special Local Regulations will/will not be published concerning this event.

5. Upon completion of patrol, forward report in accordance with paragraph 2.b.(8) of reference (a).

Encl: (1) Copies of correspondence relative to this event

Copy to:
CCGD9(osr)

— Sample letter designating a patrol commander.

Figure 17–6

H. SUMMARY

1. The laws which govern marine events and regattas are contained in 46 USC 454 through 46 USC 457. One of these laws authorizes the Commandant to issue and enforce regulations (found in 33 CFR, Part 100) to promote safety on the navigable waters during regattas or marine events. These regulations provide authority for district commanders to approve or disapprove applications for a permit for a marine event, to issue Special Local Regulations to insure safety of life in the marine event area, to issue special regulations to the sponsor of a marine event, and to establish and maintain aids to navigation to assist in the enforcement of Special Local Regulations.

2. The sponsor of an event is responsible for the safe conduct of the event. If the Coast Guard approves an event and the district commander assigns a patrol commander, the Coast Guard does not assume responsibility for the participants in the event. When a Coast Guard patrol is assigned, its primary duties are to control the spectator fleet and transient craft for their protection and to eliminate any hazards from entering the area. Personnel assigned to patrol duties should carry out these duties with vigor and be able to inform the patrol commander with enough information to prepare the required marine report.

CHAPTER 18: WATER POLLUTION LAWS

A. INTRODUCTION

1. When you hear the word pollution today, you associate it with two other words--environment and ecology. Environment is all of the natural conditions surrounding our daily living. Ecology is the relationship between organisms and their environment. Both are a direct concern of the Coast Guard, which has the responsibility of enforcing water pollution laws of the United States by detecting, quantifying, responding to, and investigating each instance of pollution.

2. In enforcing these laws, the primary concern of the Coast Guard is for environmental protection. To provide protection, Coast Guardsmen involved with water pollution will perform their duties to minimize the damage to the environment, and you, as a boating safety officer, may be called upon to enforce these laws. If you are called to investigate a pollution case, you will be required to procure information for the litigation of the case, to obtain complete and accurate details, and to gather any evidence that may become unavailable at a later time.

3. In this section you will learn the various Federal water pollution laws and the procedures for you to follow when receiving a report of pollution, or detecting a pollution incident. You will also learn how to conduct a preliminary investigation and the duties of an investigative team. You will also be instructed about keeping an oil pollution kit, preparing pollution reports, and monitoring pollution removal. This will provide the basic information that you, as a boating safety officer, will need to know to perform the duties expected of you concerning pollution incidents. Detailed instructions concerning response to pollution cases are published in the National Contingency Plan, in each regional contingency plan, and in various related unit, district, and headquarters instructions.

4. The acts we will cover in this section are explained in the following order:

   a. Federal Water Pollution Control Act as amended (FWPCA).

   b. Rivers and Harbors Act of 1899 (Refuse Act).

   c. Oil Pollution Act of 1961.

18.

B. FEDERAL WATER POLLUTION CONTROL ACT, AS AMENDED (FWPCA)

1. This act as amended in 1977 and 1978 prohibits the discharge of such quantities as may be harmful of oil or hazardous substance into or upon the waters of the United States, adjoining shore lines, waters of the contiguous zone, or an expanded zone which may, in some instances, reach out beyond 200 miles. Harmful discharge has been defined by regulations (40 CFR 110) as a discharge that violates any applicable water quality standard or causes a film, sheen, or discoloration upon the surface of the water or adjoining shore line. Under the FWPCA, oil is defined much more broadly than under the Oil Pollution Act of 1961, and means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil. A very important aspect of the FWPCA is the definition of navigable waters. For purposes of the FWPCA, navigable waters means the waters of the United States including the territorial sea. This definition, in conjunction with the contiguous zone and the expanded zone, gives much broader jurisdiction under the FWPCA than many laws which the Coast Guard enforces. This Act also requires the discharger to immediately report any discharge of a harmful quantity of oil or hazardous substance to the appropriate Federal agency. The "appropriate agency" within the contiguous 48 states since 1 Jan 77 is the Coast Guard National Response Center (NRC). A toll-free number (800-424-8802) has been established at the NRC to receive notification of polluting discharges from any telephone in the Continental U.S. Outside the contiguous 48 states, or when NRC cannot be reached, there are other agencies to call in a specified priority (see 33 CFR 153.203). Failure to notify can subject the responsible owner/operator to a $10,000 fine and/or one year imprisonment.

2. To provide a better explanation and understanding of this act, we are making it a question and answer section.

QUESTION:	What is actually prohibited by the Federal Water Pollution Control Act?
ANSWER:	The discharge of oil or hazardous substances in such quantities as may be harmful.
QUESTION:	What is meant by the term **discharge** and the term **harmful quantities**?

18.B.2.(Continued)

ANSWER: **Discharge** includes, but is not limited to, any pumping, spilling, leaking, pouring, emitting, emptying, or dumping. **Harmful quantities** of oil is a term defined by the Environmental Protection Agency in 40 CFR 110, and includes discharges which violate any applicable water quality standard, which cause a film, sheen, or discoloration upon the surface of the water, or which cause a sludge or emulsion beneath the surface of the water. Hazardous substances are listed by EPA at 40 CFR 116. "Reportable quantities" of each hazardous substance are listed at 40 CFR 117.

QUESTION: Where are these discharges prohibited?

ANSWER: On the waters of the United States, the adjoining shore lines, territorial seas, the contiguous zone, and, in certain instances, out to 200 miles or more. EPA has not yet determined the "quantity which may be harmful" for oil beyond 12 miles (contiguous zone).

QUESTION: To whom does the law apply?

ANSWER: To owners, or operators, or person in charge of the following:

a. **Vessel**. Any description of watercraft capable of being used for transportation. The only exception is a public vessel (owner or bare boat chartered to the U.S. or to a state or local government, provided that it is not engaged in commercial service).

b. **Onshore facility**. Any facility of any kind located in, on, or under any land within the U.S. Also includes motor vehicles.

c. **Offshore facility**. Any facility located in, on, or under the navigable waters of the U.S. and any facility subject to U.S. jurisdiction and located in, on, or under any other waters.

QUESTION: Does the government require the polluter to remove or pay for removal of a discharge of oil or hazardous substance? How does this work?

ANSWER: The liability for the actual cost of removal lies with the discharger. Should the responsible party fail to take timely or adequate action, the Federal government may initiate cleanup

18.B.2.c.(Continued)

action and bill the responsible perty later. The Act has limits of liability concerning removal costs; they are as follows:

(1) In the case of an inland oil barge $125 per gross ton of such barge, or $125,000, whichever is greater, and in the case of any other vessel, $150 per gross ton of such vessel (or for a vessel carrying oil or hazardous substances as cargo, $250,000), whichever is greater.

(2) Facilities – A maximum of $50 million. The president may set a lower limit for classes of facilities, but not less than $8 million.

Certain discharges have acceptable defenses. These are cases caused solely by acts of God, acts of war, negligence on the part of the U.S. government, an act of a third party or a combination of the above.

QUESTION: What are the penalties for violations of this Act?

ANSWER:

(1) If a person in charge of a vessel or facility fails to make immediate notification of a discharge, the criminal penalty may be up to one year imprisonment and/or a $10,000 fine.

(2) The owner, operator, or person in charge of a vessel or facility subject to the law who discharges in violation of the law is subject to a civil penalty of up to $5,000, which is assessed by the Coast Guard for hazardous substance discharge EPA may instead seek civil damages of up to $250,000 for willful discharges.

(3) The penalty for a violation of the pollution prevention regulations is a civil penalty of up to $5,000. The Coast Guard assesses civil penalties for violations of 33 CFR 154, 155, and 156. EPA assesses civil penalties for violations of 40 CFR 112 (non-transportation related facilities).

(4) In addition to enforcing this law, the Federal government also has some additional responsibilities which are included here for your information. These responsibilities are to:

(a) Establish a contingency plan, which will coordinate and integrate the response of the departments and agencies of the Federal, state and local governments and of industry in their attempts to protect the environment from the damaging effects of pollution discharges (see 40 CFR 1510).

(b) Provide a "strike force" of trained, equipped personnel to carry out the provisions of the contingency plan.

(c) Determine the best methods for containing and removing oil discharges (33 CFR Part 153).

(d) Determine types and amounts of chemicals and locations in which chemicals may be used to remove a discharge (see 40 CFR 1510, Annex X).

(e) Administer a fund to cover removal by the U.S. government (33 CFR Part 153).

(f) Establish regulations to carry out provisions of the Act (see 33 CFR Parts 153 through 156).

QUESTION: What about exhaust discharges from inboard and outboard engines?

ANSWER: Discharges of oil from a properly functioning vessel engine are not deemed to be harmful, and are therefore exempt. However, such oil accumulated in a vessel's bilges is not exempt should it find its way into the water.

QUESTION: What are the requirements for the disposal of oily bilge slops?

ANSWER: Vessels less than 100 gross tons must have a fixed or portable means to discharge bilge slops to a reception facility, or must have an acceptable oil-water separator. The Commandant has determined that any oil-water separator for processing oily bilge mixtures is acceptable which, without dilution, emulsification, or the addition of chemicals, will not discharge

18.B.2.c.(4)(f)(Continued)

a harmful quantity of oil. These requirements also apply to vessels less than 100 gross tons which ballast fuel oil tanks.

QUESTION: Must any notices concerning the Act be posted?

ANSWER: Yes. No person may operate a vessel, except a foreign vessel or a vessel less than 26 feet in length, unless it has a placard at least 5 by 8 inches, made of durable material, fixed in a conspicuous place in the machinery spaces, or at the bilge and ballast pump control station, stating the following:

> **DISCHARGE OF OIL PROHIBITED**
>
> The Federal Water Pollution Control Act prohibits the discharge of oil or oily waste into or upon the navigable waters of the United States or the waters of contiguous zone of the United States if such discharge causes a film or sheen upon or discoloration of the surface of the water or causes a sludge or emulsion beneath the surface of the water. Violators are subject to a penalty of $5,000.

C. RIVERS AND HARBORS ACT OF 1899

1. This Act, commonly known as the Refuse Act, prohibits the discharge, deposit, or throwing of any refuse matter of any kind from vessels or shore establishments into the navigable waters of the United States or tributaries thereof. This Act also prohibits dumping, discharging, or pumping refuse matter of any kind. The words **dumping, discharging,** and **pumping** have been used to cover all types of discharge, from accidental to intentional. The word **refuse** is considered to be any unnatural substance. Refuse which flows in liquid form from streets and sewers is exempt from this Act. This exemption has been interpreted to include "sewage," in general.

2. The Refuse Act applies to an individual who actually does the discharging or who aids or authorizes the discharging. This Act also applies to a company or corporation which owns a vessel, shore facility, plant, factory, or terminal.

QUESTION: Is the master of a vessel who has given permission to pump oily bilges in violation of the Refuse Act?

18.C.2.(Continued)

ANSWER: Yes. Since the master authorized the discharge, he has violated the Refuse Act if oil is discharged. However, the FWPCA is considered the preferred statute under which to proceed in the case of discharge of oil.

QUESTION: Does the phrase "navigable waters" of the United States or tributaries thereof mean that all waters on which the United States has jurisdiction are included in this Act?

ANSWER: Not necessarily. It includes all waters determined to be navigable or tributaries thereof. However, there are other waters under U.S. jurisdiction not encompassed by the Refuse Act.

2. When the Refuse Act was originally written, its purpose was to protect our navigable waters for navigational purposes. Congress was concerned with refuse that restricted navigation, such as logs, trash, fire hazards, and any material which could block channels. Back in 1899, Congress could not have foreseen the problem with pollutants we have today such as mercury, pesticides, oil, detergents, etc.

3. In 1966, the Supreme Court ruled that gasoline was considered refuse within the meaning of the Refuse Act. This affirmed a 1963 Court of Appeals decision that oil was "refuse matter."

D. OIL POLLUTION ACT OF 1961

1. The Oil Pollution Act of 1961 prohibits American vessels (tank vessels 150 or more gross tons or other vessels 500 or more gross tons) from discharging oil in any of the prohibited zones named in the Act. The zone which is of primary importance to the Coast Guard is a band of water 50 miles wide, adjacent to the United States coastline. This zone includes the territorial seas and the contiguous zone.

2. This Act stems from an international maritime conference that was held in 1954 and was attended by various nations. The 1954 conference was concerned with the prevention of pollution of the seas by oil. The Act was passed by Congress in order to implement the convention for the U.S.

3. In order to explain this Act better we have set up the following question and answer section.

QUESTION: To whom does this law apply?

18.D.3.(Continued)

ANSWER:

a. Basically, the law concerns U.S. flag ships and barges that carry oil as cargo or fuel.

b. Exceptions:

  1. Tank vessels under 150 gross tons.
  2. Other vessels under 500 gross tons.
  3. Whaling vessels.
  4. Ships in the Great Lakes.
  5. Naval vessels.

c. Foreign vessels are not subject to the 1961 law. However, a foreign flag vessel whose government is signatory to the 1954 convention may be boarded when in U.S. territorial waters and may be required to produce an oil record book. Violations are reported to the parent foreign government via our Department of State.

QUESTION: What is prohibited by the Act?

ANSWER: The discharge of oil and oily mixtures is prohibited. Oil means crude oil, fuel oil, heavy diesel oil, and lubricating oil. Oily mixtures means any discharge which contains more than 100 parts per million of oil. Permitted discharges are:

a. Leakage due to damage to the ship.

b. Deliberate discharge in order to save the ship or save lives.

c. Pumping of bilges containing only lube oil which has leaked from machinery spaces.

d. Discharge from the fuel oil purifier.

QUESTION: Where is the discharge prohibited?

ANSWER:

a. Within the prohibited zones, which are generally within 50 miles of land. There are many locations where the zones extend beyond 50 miles. Description of these zones is found in 33 CFR 151.

b. A ship over 20,000 gross tons and constructed after 18 May 1967 shall discharge neither within a prohibited zone nor outside the zone except with good reasons, which the master must note in the Oil Record Book.

c. Penalties for violation by U.S. flag vessels:

   a. Failure to keep an Oil Record Book- $500 to $1,000.

   b. Falsification of an Oil Record Book- $500 to $1,000 and/or six months imprisonment.

d. While the Act requires this book on U.S. vessels, other nations which are signatory to the 1954 convention require similar records on their vessels. If you are called upon to board one of these foreign vessels, you should make sure that these records are available and are currently kept. Violations should only be handled by an experienced boarding officer. It is unlikely that a boating safety officer would become involved with vessels covered by this Act. Should a violation be observed, however, it should be referred to the appropriate COTP, MSO, or district office.

E. PROCEDURES TO FOLLOW UPON RECEIVING REPORTS OF OR DETECTING POLLUTION

1. As a boating safety officer (i.e., Federal official) there are various responsibilities to assume and actions to take in order to effectively carry out the measures required to meet Federal standards.

2. If you are the first person to receive a report of pollution, utilizing CG 3639A (Water Pollution Incident Report Workbook), take the following action:

   a. Record the name, address, and phone number of each person reporting the incident of pollution to you. Also record the time and date of the incident and the means of reporting the incident.

b. Record the **exact location** of the reported pollution, the **area affected**, and the **type** of pollution.

EXAMPLE: 100 yards due south of Port Terminal Dock, Morehead City Harbor, covering an area 50 feet wide extending from Buoy 3 to the Causeway Bridge. The pollutant is black and appears to be oil.

c. Record all observations of the reporting party.

EXAMPLE: The pollution appears to be coming from a barge anchored in the harbor.

d. Record the names and addresses of any witnesses reported by the reporting party.

e. Record any other information you feel is pertinent, such as other ships in the area, weather conditions, and any harbor peculiarities.

f. After receiving the above information, immediately report the information to the on-scene coordinator designated by local contingency plans.

g. **If at all possible**, utilize photographs to document the pollution; pay special attention to the source or apparent source and the extent of the pollution.

3. The National Oil and Hazardous Substance Pollution Contingency Plan states: "In the event of a discharge of oil or hazardous substance, the first official on the site from an agency having responsibility under this Plan shall assume coordination of activities under the Plan until the arrival of the predesignated On-Scene Coordinator."

4. In light of the above paragraph your responsibilities upon detecting a pollution incident are as follows:

   a. If you are not already on scene, go to the scene as soon as possible. Time is of great importance, since weather and sea conditions may disperse or remove the evidence (pollution). Witnesses, too, may become unavailable.

b. If you have not already done so, notify your direct superior, COTP, group commander, or whoever your district instructions specify you should notify.

c. Upon determining the source of the pollution, take action to secure the source and limit the discharge. When the source of the pollution is unknown, obtain as much information as possible and note any suspect vessels or facilities.

5. Further actions are required and outlined in the following section on investigation and pollution removal.

F. INVESTIGATION

1. Even though you are not directly related with pollution cases in the boating safety field, you may be required to carry out these duties as the first official on scene or called on by the predesignated OSC to do an initial investigation. In order to be effective as an investigator, the responsibilities, techniques and procedures of a pollution investigator must be well understood.

2. If you are called on to formally investigate a pollution incident, you should make a mental note to observe all things which could expose the polluter. Observe the surroundings, noting such things as the color of the water, substances in the water, signs of oil on the sides of piers or ships and any other item which you feel might be beneficial.

3. You will be required to keep an accurate account of the investigation. Designate one member of your boat crew to serve as yeoman. He should keep a log of what you are doing, listing all observations and recording names, addresses, and occupations of all who are present when you arrive or who have been present within an hour prior to the discharge.

4. When you conduct an investigation, the source of the pollution is not always obvious. This is one reason why you should be thorough in your investigation. Investigators sometimes jump to the conclusion that the pollution was coming from one source and then later find out that the pollution came from another. Listed below are some common sources of pollution for the units shown:

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a. Common shipboard sources of pollution are-

(1) Overboard discharge ports, excluding main condenser discharge ports.

(2) Tank tops and sewage openings.

(3) Valve/flange leakage.

(4) Drip pans.

(5) Hull damage.

(6) Bilge pumping.

b. Common shoreside sources of pollution are-

(1) Open dike drain valves.

(2) Sewers.

(3) Leaking valves, pipes, or hoses.

(4) Drip pans.

c. Other sources of pollution are-

(1) Tank trucks/railroad tank cars.

(2) Fishing boats/pleasure boats.

(3) Service station waste oils.

(4) Runoff due to precipitation.

G. RESPONSIBILITIES OF INVESTIGATIVE TEAMS

1. Should you be assigned to an investigative team, you will need to know the responsibilities associated with assignment to it. Listed below are your main responsibilities if you are a member of an investigative team.

a. Evaluate the situation:

  (1) Insure that damage to the environment is minimized.

  (2) Inform your direct superior of discharges for which removal has not been undertaken.

b. Make complete, thorough, and accurate investigations, and utilize photography whenever possible.

c. Monitor removal activities.

d. Submit case reports as soon as practical.

e. Keep your command informed.

f. Maintain the integrity of the evidence and the chain of custody.

g. Keep written records and notes.

h. Remember, you have no authority to order removal or to initiate removal in the name of the Coast Guard.

i. Use teamwork. Always have a witness for everything you do or say.

j. Know your area and the people in it.

k. Increase your knowledge about pollution.

  (1) Maintain an active interest in the problem of pollution.

  (2) Read to improve your knowledge in this area. Areas to gain knowledge are:

    (a) Oil pollution removal methods.

    (b) Oil handling, transporting, and transferring procedures.

    (c) Tank vessel construction and practices.

(d) Laws and regulations concerning pollution.

2. PROCEDURES FOR BOARDING A VESSEL OR SHORE FACILITY

a. Board the vessel or visit the facility involved and ask for the master or person in charge. Identify yourself and explain your reason for being there. Request that action be taken to secure the source if the discharge is still in progress.

b. Look over the entire pier, dike, tank, or vessel carefully.

  (1) Check valves, gauges, hoses, connections, etc.

  (2) Look for signs of discharge, such as oil stains, sawdust on deck, men wiping or cleaning an area, or suspicious activity.

c. Question all persons who may be responsible, for, or have knowledge of, the discharge. Record the names, addresses, phone numbers, and occupations of all persons at the scene regardless of who they are or what they do. Include all persons who have been at the scene within the hour prior to the discharge. Interview the witnesses as soon after the discharge as possible and while the facts are still clear in their minds. However, if this is impossible, make sure you contact the witnesses at a later time.

d. Interview as many persons as possible, especially the master (if a vessel) or the owner/operator of a facility.

  (1) Find out each person's duties and why was, or was not, in the area.

  (2) Find out in detail what each person does by asking specific questions about valves turned, gauges checked, location of other persons, etc.

  (3) Find out what each person saw with his own eyes or heard with his own ears. Testimony about what a person was told is hearsay and is inadmissible as evidence in a court of law. Use a tape recorder if possible.

(4) Keep an accurate summary of what each person says to you. Get signed statements if possible. Advise all those suspected of a criminal offense (such as failure to notify immediately of oil or hazardous substance discharges) of their rights (Miranda Warning) before interviewing them.

e. Collect a sample of the polluted water and a sample from all suspected sources, such as scuppers, bilges, fuel tanks, and dikes. Obtain samples of at least one (1) quart of heavily concentrated pollutant with the aid of an improvised surface skimmer or a gauze-lined dip net (see applicable district instructions for proper sampling procedures as well as section L).

f. Label the sample bottles (which are described later under the topic entitled "Water Pollution Kit") with the following information:

(1) Name of vessel or facility.

(2) Nationality of vessel.

(3) Source of sample. (Location where sample was taken.)

(4) Date collected.

(5) Time collected.

(6) Name and mark (initial) of person(s) taking sample.

(7) Witness(es) to taking of sample.

(8) Sample identification number or letter.

g. Send only those carefully selected samples that are considered vital to the case. Send the samples to the nearest COTP who will determine necessity for analysis. The analysis may aid in determining the origin and thereby the offender in the case.

h. Take high-quality color photographs (if possible) to show the extent and seriousness of the pollution, the source of the pollutant, and any other aspects that may aid in prosecution. Although photographs in themselves are not conclusive

18.G.2.h.(Continued)

evidence, they are of considerable help in finding the polluter. Record the following information on the back of each photograph and sign the back of each:

(1) Name of vessel or facility.

(2) Location.

(3) Date photo taken.

(4) Time photo taken.

(5) Photograph number.

(6) Name of photographer and witness.

(7) Type of camera and film used.

(8) Shutter speed.

(9) Degree and type of light (artifical and/or natural).

(10) Lens opening.

(11) Details of processing.

i. Maintain all samples and other tangible evidence (photographs and statements) in proper U.S. Coast Guard custody until you have received orders from a competent authority directing their disposition. Take precautions to prevent breakage, fire, altering, or tampering with the samples.

(1) **Keep all evidence in your physical possession until it can be properly secured.** Do not let it out of your possession without a proper receipt, or it will be compromised and become inadmissible in court.

(2) Store all evidence in locked containers whose keys are precisely controlled so that as few persons as possible have access to them (thereby to the evidence) and these persons are known.

(3) It is very probable that in a trial the prosecution will have to prove that an unbroken chain of custody for each article of evidence has been maintained. Therefore, never leave evidence unguarded; treat it as

18.G.2.i.(3)(Continued)

though it were classified material and get a receipt each time it is transferred.

(4) There have been occasions when the value of samples has been questioned. Recent cases have been encountered, however, in which the only evidence was a comparison of samples from the suspected source and from the water.

3. POLLUTION INVESTIGATION REPORTS

a. The Coast Guard pollution investigation reports system has recently been modified. Under the new system the entire investigation report is submitted in an inclusive report. The workbook (Form CG-3639A), photos, statements and samples are forwarded via the chain of command.

b. A flow diagram showing the complete processing of Coast Guard pollution reports is shown in Figure 18-1.

H. POLLUTION REMOVAL

1. As stated before, the first Federal official on scene is required to coordinate certain immediate actions until relieved by the predesignated On Scene Coordinator (OSC).

a. The report of a discharge must be immediately investigated.

b. Based on all available information, you should:

(1) Evaluate the magnitude and severity of the discharge.

(2) Determine the feasibility of removal.

(3) Assess the effectiveness of removal actions being taken by the party responsible for the discharge. Initiate removal actions in consultation with the OSC, if the responsible party is not doing so or you cannot identify him.

c. If you monitor removal operations, insure that they are carried out properly. Chemicals and sinking agents may not be used, unless specifically authorized by the OSC and EPA. Familiarize yourself with the applicable state pollution laws

18.H.1.c.(Continued)

concerning removal operations. You should aid and cooperate with state officials, but you cannot enforce state laws.

d. You should note for the pollution report what types of removal methods are used. Include the amounts and kinds of products and what types of equipment are being used. Also note the starting and stopping times of the removal operation and give your appraisal of its effectiveness.

I. WATER POLLUTION KIT

1. In order to perform the functions described in the last topic, you must have the following materials:

   a. Log book for recording rough notes, the chronological chain of events, names, observations, etc.

   b. Forms and pamphlets:

      (1) Statement of Fact blanks, including a Waiver of Rights Statement.

      (2) Supply of Pollution Investigators Workbooks, CG-3639A.

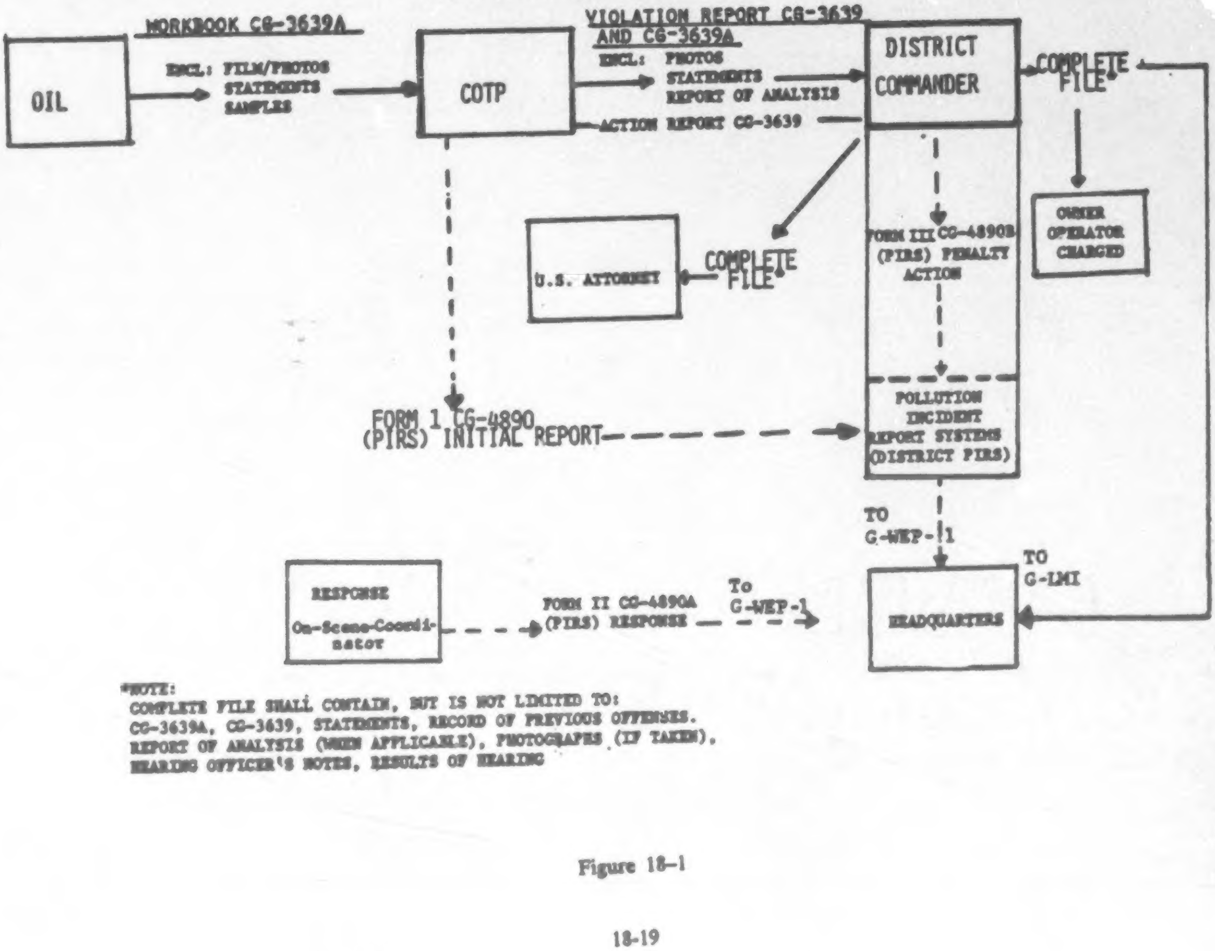
      (3) Any locally produced forms which may be required.

   c. At least six 8-ounce (1/2 pint) jars. They must be clean and unused. The cap liners used in most jar caps contain contaminants. Unless the cap liners are made of glass, metal, or teflon, they must be removed, wrapped completely in aluminum foil, and then replaced. If, for some reason, you do not have proper covers for the bottles, use aluminum foil as covers.

18.I.1.c.(Continued)

DISPOSITION CHART

FOR VIOLATION REPORTS AND
OTHER ASSOCIATED FORMS


OIL
WORKBOOK CG-3639A
ENCL: FILM/PHOTOS
STATEMENTS
SAMPLES
COTP
VIOLATION REPORT CG-3639
AND CG-3639A
ENCL: PHOTOS
STATEMENTS
REPORT OF ANALYSIS
ACTION REPORT CG-3639
DISTRICT COMMANDER
COMPLETE FILE*
OWNER OPERATOR CHARGED
U.S. ATTORNEY
COMPLETE FILE*
FORM III CG-4890B (PIRS) PENALTY ACTION
FORM 1 CG-4890
(PIRS) INITIAL REPORT
POLLUTION INCIDENT REPORT SYSTEMS (DISTRICT PIRS)
TO G-WEP-1
TO G-LMI
HEADQUARTERS
RESPONSE
On-Scene-Coordinator
FORM II CG-4890A
(PIRS) RESPONSE
To G-WEP-1

*NOTE:
COMPLETE FILE SHALL CONTAIN, BUT IS NOT LIMITED TO:
CG-3639A, CG-3639, STATEMENTS, RECORD OF PREVIOUS OFFENSES.
REPORT OF ANALYSIS (WHEN APPLICABLE), PHOTOGRAPHS (IF TAKEN),
HEARING OFFICER'S NOTES, RESULTS OF HEARING

Figure 18–1

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d. Explosion-proof spotlight for looking into tanks which might contain volatile liquids.

e. Binoculars, which are useful in finding the source of the pollution.

f. Cleaning and wiping rags, which are useful in cleaning hands and bottles after taking samples.

g. Cord, minimum of 50 feet, for sampling over long distances.

h. Camera with color film.

i. Cotton gauze pads to aid in obtaining refined product samples that are too thin to be skimmed.

j. Fluorescent sea dye for tracing pollution sources.

2. These kits should be made up and carried on all boats capable of being used in pollution law enforcement duty.

J. SAMPLING

1. Reason for Sampling:

a. **To prove that unlawful pollution did actually occur**, e.g., "This bottle contains oil. It was taken from the water at the western anchorage of Port Starboard Harbor. This location is part of the navigable waters of the United States. Therefore, unlawful pollution has occurred."

b. **To connect pollutant with a source**, e.g., "We have run a chemical/physical analysis. The oil from the water and from source 'A' are similar. Therefore, we infer that the oil in the water came from source 'A'."

c. **To eliminate other possible sources**, e.g., "The oil in the water does not match that taken from ship B, barge C, tank D. We therefore can eliminate them as suspects."

d. **To determine extent and liability for a spill**, e.g., "The oil in the main channel, at the foot of Hogates Pier, and at the State Park beach are similar. We therefore conclude all three came from the same source and the spiller is liable for all three cleanups."

2. **Procedures for Sampling:**

a. When: Should be taken from water immediately. Remember the pollutant may evaporate, spread and then be moved by wind/tide. The first opportunity to sample may also be the **last!** Remember also that in the process of "weathering," the pollutant may change significantly from its original state and therefore a comparative analysis would not match even if the two "oils" were initially the same. If you find that you do not need the sample for the case you can always dispose of it, but if you don't get it now, you may never get it.

b. **Where:**

(1) No fewer than three samples are required.

(a) "Clean, unpolluted" water from "upstream" to show pre-spill condition.

(b) Pollutant in the water. Sometimes helpful to take two, one for analysis, one for real evidence.

(c) Suspected source(s).

(2) You may need several samples from your suspected source. A tanker may carry different products in her cargo tanks; if so, you will need samples from each. Perhaps the oil came from her fuel tanks or bilges.

(3) Elimination samples may have to be taken from other sources in the area. You do not want to prejudge the case. Your job is to collect all the evidence (information) available. Remember that cases have been lost when it was found that a nearby ship was carrying the same product.

c. **How much:**

(1) For comparative analysis of two oil samples the laboratory will need at least 1 milliliter (0.03 ounces)

of oil. However, the more you can get, the easier the analysis will be.

(2) To test for oil emulsified in water, the lab will require a quart.

d. **How to take the sample:**

(1) Dip bottle in the oil at an angle of about 30°, submerging the lip of the bottle just below the layer of oil. Allow the sample to take itself. Trying to chase the sample around is self-defeating. When dealing with small amounts of product, or light oils, submerge the jar completely in the water, using opening of jar as a skimmer. This manner will produce maximum product. If possible, rubber gloves should be worn when taking samples; when taking samples of hazardous substances, follow specific directives for protective clothing, to be worn when dealing with each specific substance.

(2) Sampling Aids:

(a) A tongue depressor is useful for pushing viscous oils into the jar.

(b) A ladle or a spoon is useful for removing thin layers of oil.

(c) Fiberglass sheets are useful for picking up thin films. Avoid using cotton swabs, cheesecloth, etc. for this task.

(d) "Small stuff" may be needed to lower the sample bottle to the water level from piers, etc.

(e) A one-foot length of 2-inch pipe with a cap fitting at one end and a "U-bolt" handle fastened to the other end may be used as a "Thief Sampler." Small stuff is attached to the handle so that it may be lowered into tanks for collecting samples.

(f) Three-foot sections of aluminum pipe fitted together with a male fitting attached to one end and a female fitting on the other to which vice-grip pliers are welded may prove useful in obtaining samples from the water when you are standing on a pier. The jaws of the vice grips are then clamped to the lip of the sample bottle; this will allow you to skim the surface.

(3) Some key points to remember:

(a) The rule of cleanliness also applies to sampling equipment. Use tongue depressors only **once**. Ladles or other sampling equipment **must be recleaned** after each use. Even the slightest contamination from any substance will destroy the representativeness of the sample and will nullify its potential usefulness in court.

(b) In most instances, you should avoid taking samples near pilings, rip-rap, and natural collecting points. You **may** be sampling oil from several spills.

(4) Remove excess water from sample. This may be done by using a tongue depressor to hold back the oil and pour the water out of the bottom. Or invert the bottle, loosen the lid and let the water flow out the bottom.

3. **Post Sampling Procedures**:

a. **Removal of air**: Fill the bottle with the pollutant or fill it with water from which sample was taken. Do **not** use tap water.

b. **Sealing**: Samples shall be sealed immediately upon taking. Seals should consist of tape wrapped around the bottle in such a manner that it would be impossible to open the bottle without disturbing the tape. The investigator's initials should be placed on the tape in such a manner that the position of the initials or their form will be altered if the tape is tampered with. Attach a chain of custody tag.

c. **Labeling**: The label must have:

(1) Source—Make this description as precise as possible, e.g., "50 yards off port quarter of American Flyer, Port Starboard Harbor", or "#5 center tank of Jenny Mae Fergus."

(2) Date and time the sample was taken.

(3) Who took the sample.

(4) Who witnessed the taking. If possible, witnesses should be from the suspect vessel. Remember all witnesses may be called upon to testify about where and when a sample was taken, what method was used, the cleanliness of the equipment used, and how was it sealed and labeled.

(5) The investigator's notes should contain entries containing the following information:

(a) Comments about how the sample was taken.

(b) The exact location where the sample was taken. A photograph of samples being taken or a diagram showing where they were taken should be included.

(c) Weather conditions.

d. **Protection**: Pollution samples shall be held by the investigation unit until requested by District, U.S. Army Corps of Engineers, U.S. Attorney, or the Environmental Protection Agency. Samples shall be properly labeled and locked up, refrigerated if possible, under proper custodial care until they are requested by the appropriate agency or disposal is authorized by higher authority.

e. **Chain of Custody**:

(1) All samples and other tangible evidence must be maintained in proper custody until orders have been received from higher authority directing their disposition. Precautions should be taken to protect the

samples from breakage, fire, altering and tampering. It is important that a chain of custody of the samples be properly maintained and recorded from the time the samples are taken until their ultimate use at the trial of the case. In this regard, a record of time, place, and the name and title of the person taking the sample, and each person handling it thereafter must be maintained and forwarded with the sample.

(2) The purpose of taking samples is to permit chemical analysis and thereby identify the pollutant in the water as positively originating from a specific vessel or facility. Courts have rejected samples, otherwise properly obtained and analyzed, which have not been maintained under lock and key and subject to an unbroken chain of custody.

4. **Value of Sample Analysis:**

a. **Present methods are not completely foolproof.** A chemist will only testify as to similarity of samples. He will not say they are exactly the **same**. He may, at best, say "they are so similar that I'm 99% sure they are the same."

b. **Samples are only circumstantial evidence**; they must be connected with other facts. For example:

(1) Not only are the samples similar but-

(2) They came from the only ship in the area.

(3) A certain amount of oil is not accounted for.

(4) Traces of oil were found on the PV valve flame screen.

(5) Buckets of oily sand were found on the vessel and it looked like a fresh cleanup of the deck had been conducted.

5. **Other real evidence:**

a. In some instances, it may be possible for the investigator to obtain additional physical evidence. These might include a

18.J.5.a.(Continued)

section of rotten hose, a broken valve, a section of rusted hull plating, etc. This evidence should be labeled and maintained in the same manner as outlined for liquid samples.

K. SUMMARY

1. The Refuse Act was an early law that applied to pollution control. This Act prohibits any refuse (any unnatural substance) to be discharged, dumped, or pumped on any navigable waters of the United States. It was originally enacted to protect our streams and rivers from items which could restrict navigation, but a court ruling applied the Act to oil and other substances. The Oil Pollution Act of 1961 prohibits American vessels from discharging oil or oily waste in prohibited areas. These zones include all sea areas within 50 miles of the United States, and all other prohibited zones as identified in the International convention for prevention of pollution of the sea by oil, 1954, as amended. The Federal Water Pollution Control Act, as amended in 1977 and 1978, is the most recent legislation prohibiting water pollution. This Act prohibits discharging oil in such quantities as may be harmful quantities on the territorial sea and the contiguous zone, or an expanded zone which, in some instances, may reach beyond 200 miles. The Act applies to the owner or operator of a vessel, an onshore facility, or an offshore facility, requires the person in charge to notify the Coast Guard immediately upon discovery of a discharge, and makes the polluter liable for the actual costs of removal. The Act has authorized the Coast Guard to promulgate various anti-pollution regulations to enforce the provisions of the Act; these include oil handling and marine sanitation device regulations.

2. In order to be prepared to handle a pollution case at any time, you must have a water pollution kit readily available. When handling a pollution case either by receiving a report of pollution, detecting pollution, conducting a preliminary investigation, preparing pollution reports, serving on an investigative team, or monitoring the removal of pollution, consider the information given in this section as a recommended guide in carrying out these duties. In most cases your district will have published instructions for you to follow when handling pollution cases in your area.

3. With today's interest in environmental protection, the duties involved in the enforcement of pollution laws will undoubtedly increase. With this thought in mind, it would be a good idea for you to study this section thoroughly, and even seek further instruction on the subject. Further information can be obtained by reading:

18.K.3.

a. The Federal Water Pollution Control Act (FWPCA), as amended. (33 USC 1251-1376)

b. The Rivers and Harbors Act of 1899. (Refuse Act)(33 USC 407)

c. The Oil Pollution Act of 1961, as amended. (33 USC 1001-1016)

d. The International Convention for Prevention of Pollution of the Sea by Oil, 1954, as amended.

e. The National Contingency Plan and Applicable Regional Contingency Plans.

f. District O Plan and other District Pollution Related Directives.

g. Commandant Instruction 16460 (series)

h. Ports and Waterways Safety Act (33 USC 1221-1232)

i. Oil Pollution Prevention Regulations (33 CFR 154, 155, and 156)

j. Port Safety Regulations Concerning bulk Liquid transfer (33 CFR 126.15 (a))

k. DOT/EPA Memorandum of Understanding on Transportation/Non-Transportation Related Facilities

l. Executive Order 11735 (33 USCA 1321 Note)

m. Marine Safety Manual - Chapters 44, 74, 82, and 86.

CHAPTER 19: FIRST AID

A. INTRODUCTION

1. First aid, in any situation, consists of the emergency treatment of the sick and injured before trained medical attention can be obtained. The purposes of first aid are:

    a. To save life.

    b. To prevent further injury or unfavorable progression.

    c. To preserve vitality and resistance to infection.

2. A real knowledge of first aid and its purposes, when properly applied, may mean the difference between life and death, between rapid recovery and long hospitalization, between temporary disability and permanent injury.

3. Proper knowledge and skill in first aid is a must for every member of the Coast Guard. This chapter provides Coast Guard personnel with information pertinent to life threatening injuries. This information is based on the Emergency Care and Transportation of the Sick and Injured. Cardiopulmonary Resuscitation Manual (CG-139), Handbook of the Hospital Corps (NAVMED P-5004), and Commandant Instruction 3130.15 (Series).

4. Before discussing care of the wounded and injured, a word or two is directed to the Coast Guard member who will have the responsibility of providing first aid. You should:

    a. Keep calm, never permitting yourself to become excited or confused.

    b. Act quickly, with efficiency and confidence, making a decision on priorities as soon as possible.

B. CONTROL OF HEMORRHAGE

1. Hemorrhage (bleeding) is the escape of blood from arteries, veins, or even capillaries because of a break in their walls. Control of severe hemorrhage is an urgent matter. Arterial bleeding from a major blood vessel can cause a casualty to bleed to death in a very short time.

2. Identification of the types of bleeding may be as follows:

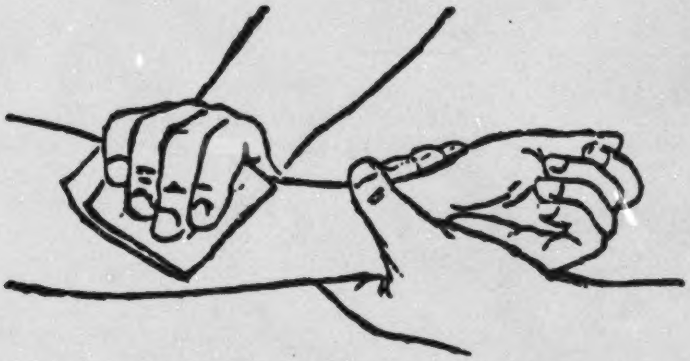
a. **Arterial bleeding.** Blood escaping is bright red, gushes forth in jets or spurts which are synchronized with the pulse.

b. **Venous bleeding.** Blood is dark red and escapes in a steady flow.

c. **Capillary bleeding.** Blood is intermediate in color, and oozes from the wound.

3. To control severe hemorrhage apply DIRECT PRESSURE with the palm of your hand over the entire area of the wound. Also, raise the affected part to a level higher than the heart, if there are no fractures, or if additional pain or harm will not be inflicted.

4. A thick pad of cloth held between the hand and the wound should be used if immediately available (Figure 19–1).



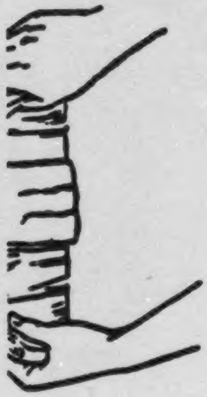
- Apply Direct Pressure to Wound

Figure 19–1

5. Preferably the cloth should be sterile or clean. However, unclean material can be used if that is all that is available. Do not remove this dressing if it becomes blood-soaked, rather, add more layers of cloth and continue direct pressure and elevation.

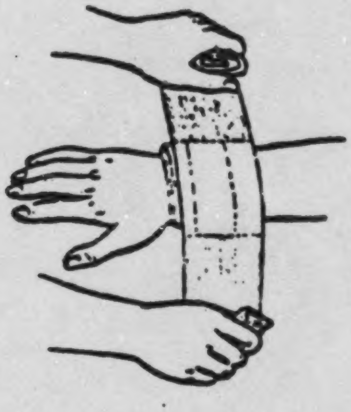
6. A pressure bandage can replace direct hand pressure on most parts of the body. Apply the pressure bandage by placing the center of the bandage or strip of cloth directly over the pad; hold the pad in place by circling the bandage ends around the body part; and tie off with a knot directly over the pad (Figures 19–2 and 19–3).

19.B.6.(Continued)



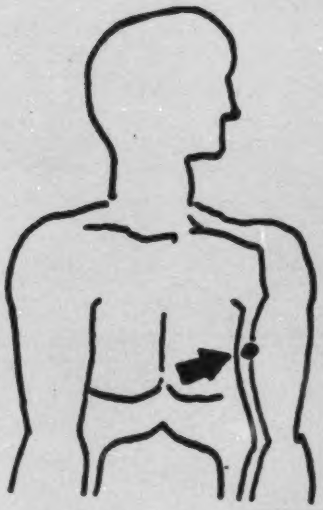
ressure Bandage

Figure 19–2



Applying Pressure Bandage

Figure 19–3



Brachial Artery Pressure Point.

Figure 19–4

7. If direct pressure does not control the bleeding, apply pressure at the appropriate PRESSURE POINT while **maintaining pressure over the wound and elevation**. Pressure on the pressure points will control arterial bleeding in the region supplied by that artery.

8. If the bleeding is from a wound in the arm, apply pressure to the **brachial artery**. This pressure point is located on the inside of the arm in the groove between the biceps and triceps, about midway between the armpit and the elbow (Figure 19–4).

9. Pressure should be applied by grasping the middle of the victim's upper arm with your thumb on the outside of the victim's arm and your fingers on the inside of the victim's arm (Figure 19–5). Press or pull your fingers toward the thumb, using the flat inside surface of your fingers, not your finger tips.

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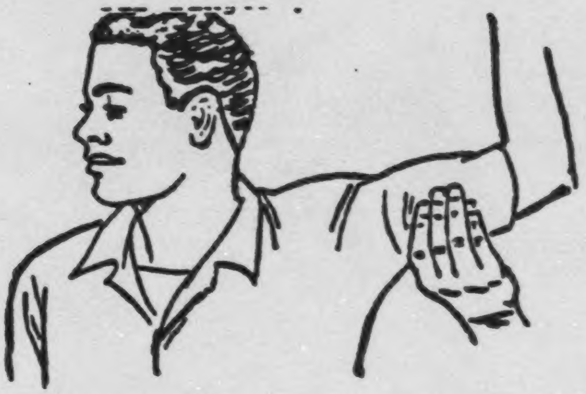
19.B.9.(Continued)



- Applying Pressure to the Brachial Artery

Figure 19–5

10. If the bleeding is from a wound in the leg, apply pressure to the **femoral artery**. This pressure point is located on the front center part of the diagonally slanted "hinge" fo the leg, in the crease of the groin area, and over the pelvic bone (Figure 19–6).

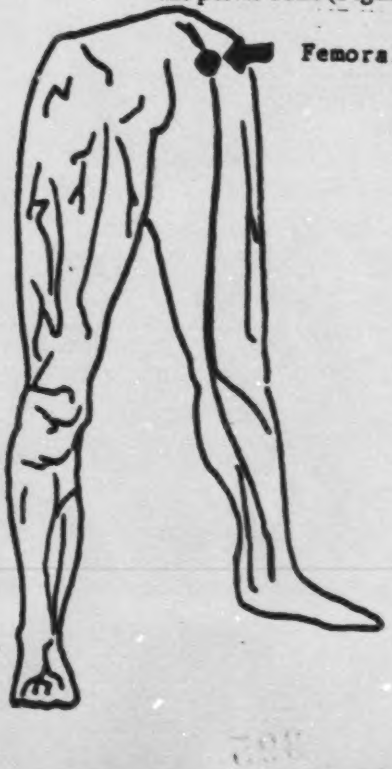
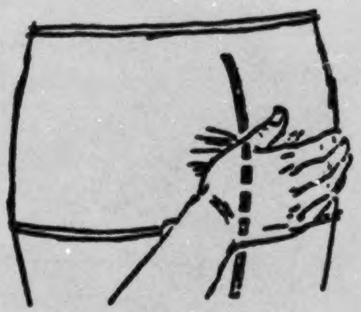


Figure 19–6

11. Apply pressure by placing the heel of your hand directly over the spot described above. Lean forward with the arm straightened to apply direct pressure (Figure 19–7).



- Applying Pressure to the Femoral. Artery

Figure 19–7

12. If is important when using the pressure points (brachial or femoral arteries) that you maintain pressure the wound as well as maintaining elevation.

13 Figure 19–8 should be carefully studied and the points where arteries can be compressed against bony surfaces should be committed to memory. Pressure points are especially helpful in controlling bleeding quickly and can serve as a stop-gap measure if pressure ompresses or a tourniquet must be located and readied for application.

19.B.13.(Continued)

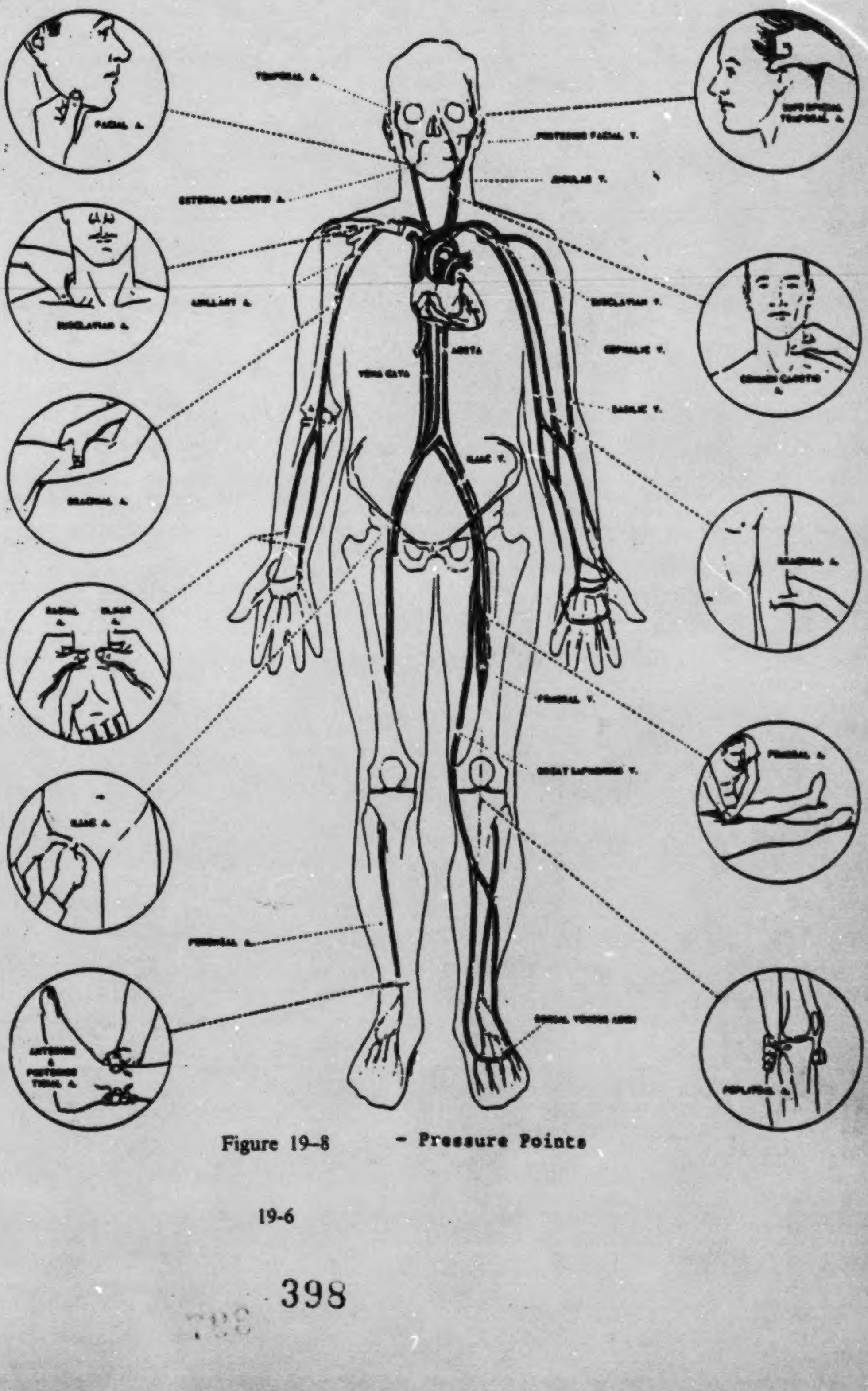
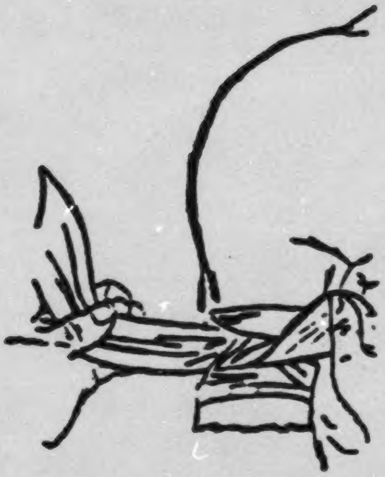

TEMPORAL A.
FACIAL A.
SUPERFICIAL TEMPORAL A.
POSTERIOR FACIAL V.
JUGULAR V.
EXTERNAL CAROTID A.
SUBCLAVIAN A.
AXILLARY A.
SUBCLAVIAN V.
COMMON CAROTID A.
CEPHALIC V.
AORTA
VENA CAVA
BASILIC V.
BRACHIAL A.
ILIAC V.
BRACHIAL A.
RADIAL A.
ULNAR A.
FEMORAL V.
FEMORAL A.
ILIAC A.
GREAT SAPHENOUS V.
PERONEAL A.
DORSAL VENOUS ARCH
ANTERIOR & POSTERIOR TIBIAL A.
POPLITEAL A.

Figure 19–8 - Pressure Points

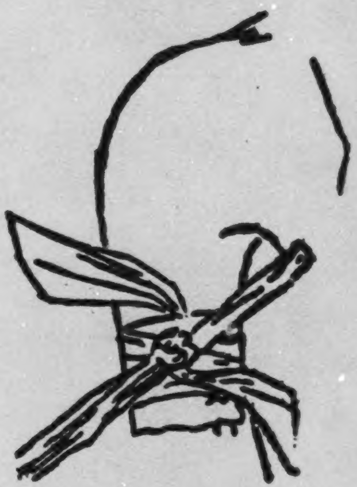
14. If the aforementioned methods do not control severe bleeding and the victim is in danger of bleeding to death, a tourniquet may be used as a **last resort to save life.** A tourniquet should only be used for the severe, life threatening hemorrhage that cannot be controlled by other means. This method is used only on the arms and legs.

15. A tourniquet is a constricting band which can be placed around an extremity and tightened until bleeding from an artery has stopped. Tourniquets can be made of any wide gauge materials, such as a webbed strap with a buckle or other suitable material. To apply a tourniquet:



Applying a Tourniquet

Figure 19–9



Applying a Tourniquet

Figure 19–10

a. Place the tourniquet just above the wound, but not touching the wound edges. If the wound is in a joint area or just below, place the tourniquet directly above the joint.

b. Wrap the tourniquet band twice tightly around the limb and tie a half knot. (Figure 19–9).

c. Place a short, strong stick, screwdriver or any similar object that you can find on the half knot and tie a full knot (Figure 19–10).

d. Twist the stick until the bleeding is stopped (Figure 19–11).

NOTE: A TOURNIQUET SHOULD ONLY BE TIGHT ENOUGH TO STOP THE BLEEDING.

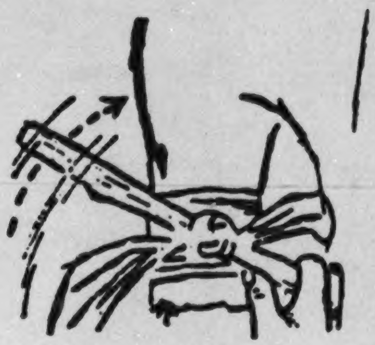
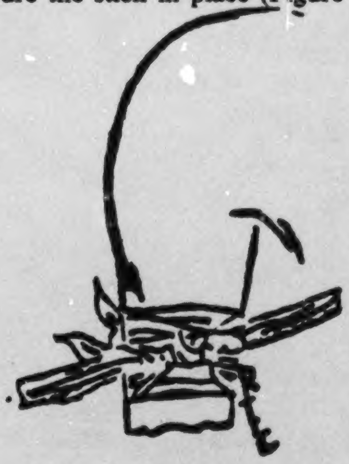


Figure 19–11 – Tightening a Tourniquet

e. Secure the stick in place (Figure 19-12).



Tourniquet Correctly Applied

Figure 19–12

f. Attach a note to the victim giving the location of the tourniquet and the time that it was applied. THE

TOURNIQUET SHOULD ALWAYS BE LEFT EXPOSED TO VIEW.

g. Once the serious decision to apply a tourniquet has been made, **the tourniquet should NOT be loosened (except by a medical doctor).**

h. Treat for shock and get medical attention IMMEDIATELY.

C. METHODS OF RESUSCITATION

1. Resuscitation is a general term which covers all of the measures taken to restore life or consciousness to an individual that is apparently dead. These measures include artificial respiration to restore normal respiratory function, and closed chest cardiac compression to restore normal heart beat. Time is of the prime importance. SECONDS COUNT. If a person stops breathing, he can die within 4–6 minutes. Therefore, it is imperative that artificial respiration and/or cardiopulmonary resuscitation be started immediately. Mouth-to-mouth (mouth-to-nose or mouth-to-stoma) (a stoma is the opening in the lower neck through which individuals breathe when they have had their voice box removed) should be started at once in any case where breathing has ceased. This may be due to any one of many causes including:

   a. Drowning

   b. Suffocation

   c. Electrocution

   d. Poison gas

   e. Heart attack

2. Only after artificial respiration has been initiated and after it has been determined that the heart has stopped, should external cardiac compression be started and combined with artificial respiration to give cardiopulmonary resuscitation.

3. The following techniques govern cardiopulmonary resuscitation procedures in the Coast Guard.

4. MOUTH-TO-MOUTH BREATHING

19.C.4.

a. This is ALWAYS started first, and then the necessity for external heart compression is determined.

b. Place victim on his back (Figure 19–13).

c. Kneel beside the victim's shoulder (Figure 19–14).

d. Place one hand under victim's neck. (Figure 19–15).

e. Place other hand on victim's forehead so that thumb and forefinger can close the nose (Figure 19–16).

f. Lift gently with hand under neck while pushing down with hand on forehead. This will extend the neck and open the air passages in the vast majority of cases. (Figure 19–17).

g. Initially, give four (4) quick breaths without interruption. (Figure 19–18).

h. Watch for victim's chest to rise. As soon as this happens, remove your mouth from the victim's and let the natural recoil of air expire from the victim. Listen for the rush of air from the victim's chest (Figure 19–19).

i. Repeat 12–14 times a minute for adults, 18–19 for children and infants.

j. If chest does not rise, one or more of the following conditions exists and must be corrected:

    (1) Airleak.

        (a) Make sure that there is an airtight seal between your mouth and the victim's and that the seal on the victim's nose is secure.

    (2) Airway obstruction (more likely).

(a) Insert your finger in the victim's mouth and remove any foreign objects (false teeth, etc.), vomit and/or blood clots.

(b) For adults—see section "Treatment for Choking" (Figure 19–31).

(c) For children—Roll infant over your forearm and give a sharp blow between the shoulder blades (Figure 19–26).

(3) Laryngectomees (Individuals who have had their voice box removed and their windpipe joined to the skin of the neck). See mouth-to-stoma resuscitation.

k. If the chest still fails to rise, remove hand from neck, insert your thumb into the victim's mouth and grab lower jawbone (mandible) between the thumb and finger and lift jawbone upward holding it in this position while you continue to perform mouth-to-mouth breathing. (Figure 19–20).

l. In children and infants, a lesser amount of air is necessary. In infants, the amount of air that can be held in your cheeks may be sufficient. The rescuer must cover both the mouth and nose of the infant or child with his mouth. Inflate the lungs once every three seconds (18–20 per minute). Forceful backward tilting of the infant's head may obstruct the breathing passages. Therefore, do not exaggerate the head tilt position.

m. Mouth-to-nose breathing may be carried out using much the same technique as for mouth-to-mouth except, of course, the victim's mouth is held closed while your mouth is placed over the victim's nose. (Figure 19–21).

n. Airways and tubes should not be used by untrained Coast Guard personnel. Not only are they dangerous when used by untrained personnel, but also they are usually not available when such an emergency arises.

5. EXTERNAL CARDIAC COMPRESSION

a. After artificial respiration has been instituted with four quick breaths, and only then, check to see if external cardiac compression should be started.

(1) It is needed only if the heart has stopped.

b. Check for pulse (Figure 19–22).

(1) The best pulse to check is the carotid in the neck. This is a large artery lying close to the surface on either side of the Adam's apple. Practice feeling your own carotid pulse.

c. If there is no pulse, start external cardiac compression.

d. For external cardiac massage to be effective, the victim must be on a firm surface, i.e., ground, spineboard, floor. His head must be on a level with his heart.

e. Locate lower end of breastbone. Great care must be exercised not to place hand over the tip of the breastbone (xiphoid process) (Figure 19–23).

f. Measure two fingerwidths up from the xiphoid process (Figure 19–23), and place heel of one hand over lower one-third of breastbone (Figure 19–23), and the hand on top of first (Figure 19–24).

g. Bring shoulders directly over the victim's breastbone. Keep arms straight, rock back and forth slightly from the hip joints exerting pressure vertically downward to depress the lower breastbone (Figure 19–25).

h. Then release pressure immediately. **Compression and relaxation must be of equal duration.** Do not remove the heel of the hand from the chest when the pressure is released. Be sure that the pressure is completely released so that the breastbone returns to its normal resting position between compressions.

i. This cycle is repeated 60 times per minute in adults, when two rescuers are present, 80–100 in children, and **should be in a smooth, rhythmic fashion.**

j. The breastbone should be compressed 1 1/2 to 2 inches for adults. For small children only the heel of one hand is used, for infants only the tips of the middle and index finger are used to compress the sternum (Figure 19–26). In small children and infants, the heart lies higher in the chest and external compression should be applied over the mid-sternum.

k. Keep your fingers away from the victim's ribs to avoid fractures. Fingers may be interlocked during this procedure to assist in keeping them off the chest wall. (Figure 19-24).

6. TECHNIQUES OF C.P.R. FOR ONE, TWO, AND THREE RESCUERS

a. If three rescuers are available, after someone has been sent for help, they should be utilized as follows:

(1) One should position himself at the victim's head and begin administering artificial respiration.

(2) One should position himself on the opposite side of the victim's body at the level of the shoulders and begin to administer external cardiac compression at the rate of one compression/sec, 60 compression/min.

(3) One should position himself at the victim's waist and begin monitoring the pulse at the femoral artery (groin). Each effective cardiac compression should create one pulse.

(a) Rhythm may be adjusted by giving **5 strokes** on the breastbone followed by **one lung inflation.** Stroke, stroke, stroke, stroke, stroke, breath, etc. Inflations must be interposed after the down stroke of the 5th compression, so that the rhythm of compressions is not interrupted.

(b) Timing may be estimated by counting 1,001 (one thousand and one), for each stroke, to closely approximate one second.

b. If two rescuers are present, they should be utilized as follows (Figure 19-27):

(1) One administers artificial respiration.

(a) Positioned at victim's head.

(b) Monitor pulse at carotid artery (neck) without interrupting artificial respiration (Figure 19–22).

(c) Rhythm and timing are the same as for the three man technique.

(2) One positions himself on the opposite side of the victim's body at shoulder level and begins external cardiac massage.

c. If only one rescuer is present, he must of necessity, administer both artificial respiration and external cardiac massage. This can be managed by interrupting external cardiac massage every 15 beats to give 2 deep lung inflations. Because of the interruptions for the lung inflation, the single rescuer must administer each series of 15 chest compressions at a more rapid rate, 80 compressions per minute, in order to achieve an actual compression rate of 60 compressions per minute. The two deep inflations must be administered in quick succession, within a period of 5 seconds. Do not allow full lung exhalation between breaths (Figure 19–28).

7. MOUTH-TO-STOMA RESUSCITATION

a. Laryngectomees are individuals who have had their voice box (larynx) removed and the windpipe joined to the skin of the lower neck. Through surgery, an opening has been placed in the lower neck. This opening is called a stoma, through which the laryngectomee breathes (Figure 19–29).

b. When laryngectomees require artificial respiration, the mouth-to-stoma method should be performed. When mouth-to-mouth or mouth-to-nose resuscitation is performed correctly on the victim, and his chest does not rise and no air is expelled, and the tongue or foreign objects are not obstructing the air passage, the rescuer should then search for the stoma (opening in the neck).

c. In performing mouth-to-stoma resuscitation, do not tilt the victim's head backwards nor open the mouth. These techniques are not necessary to keep the air passage open. The rescuer should put his mouth over the stoma and blow. When the victim's chest rises remove your mouth from the stoma and let

19.C.7.c.(Continued)

the natural recoil of air expire from the victim. The rate of administration is the same as for mouth-to-mouth. During application of mouth-to-stoma, it is not necessary to close off the mouth or nose since they are inactive (Figure 19–30).

8. SOME ADDITIONAL FACTORS IN CARDIOPULMONARY RESUSCITATION

a. The victim's stomach may become distended with air. This is especially true in children and if the airway is not clear. It is not dangerous, but may interfere with lung inflation. If it occurs, reposition the patient's head to make sure the airway is completely open. Do not try and force the air out of the stomach.

b. Cardiopulmonary resuscitation, once started, must be continued until spontaneous breathing and heartbeat occur or until the victim is turned over to a physician or until the victim is dead. In many cases, this will mean that the procedures must be continued while the victim is being transported to a medical facility. Under no circumstances should cardiopulmonary resuscitation be interrupted for more than a five second period.

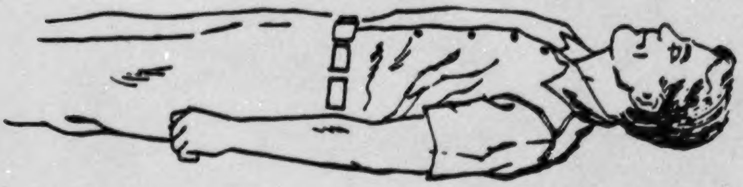


Figure 13 - Victim on Back on a Firm Surface.

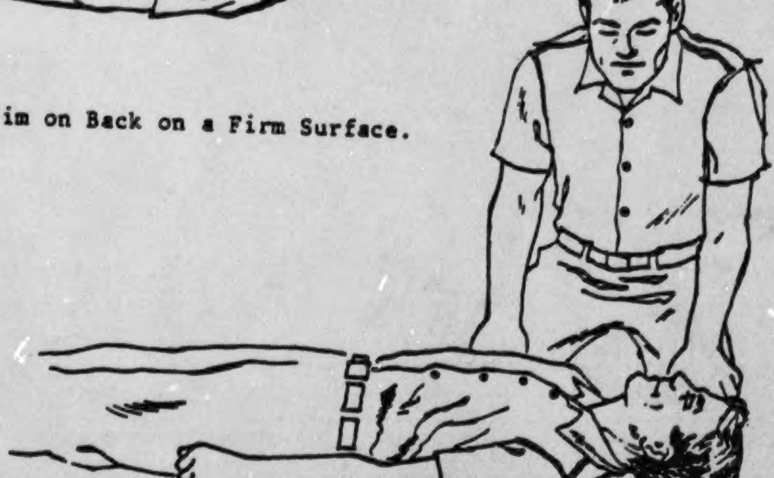


Figure 14 - Rescuer in Position.

19.C.8.b.(Continued)

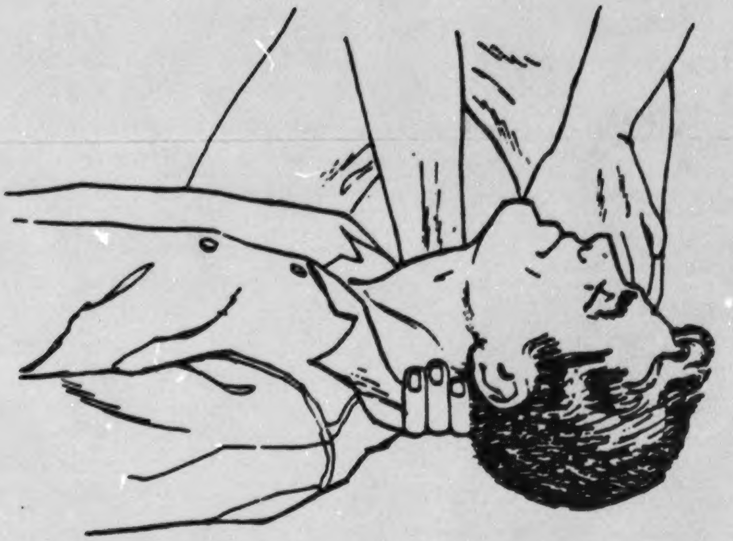


Figure 15 - Hand Under Neck

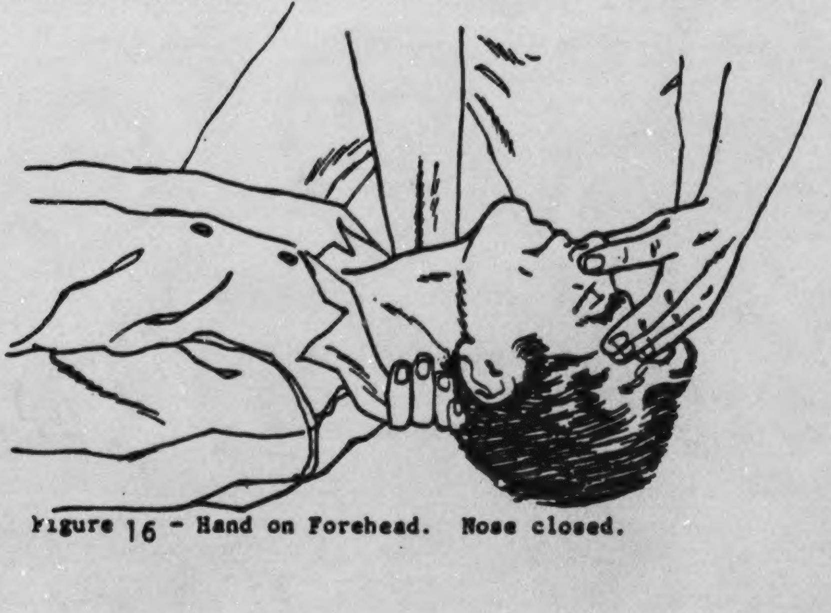


Figure 16 - Hand on Forehead. Nose closed.

19.C.8.b.(Continued)

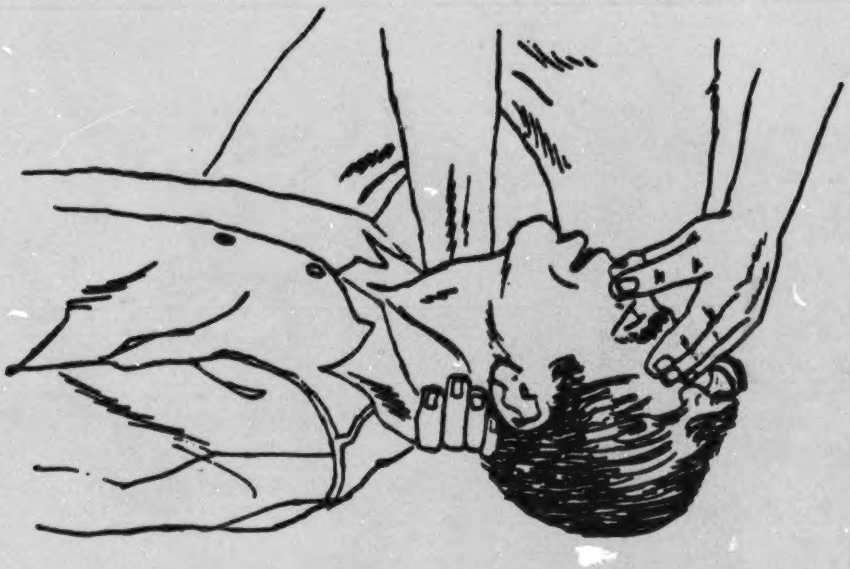


Figure 17 - Neck Extended

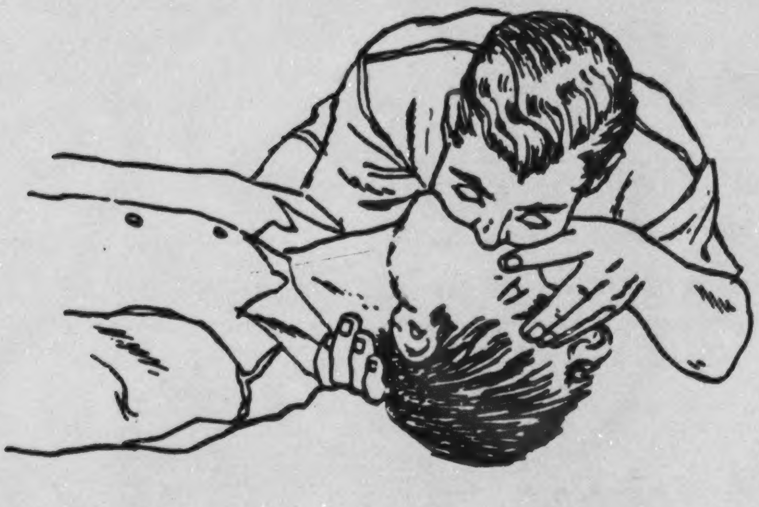


Figure 18 - Actual Inflation

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19.C.8.b.(Continued)

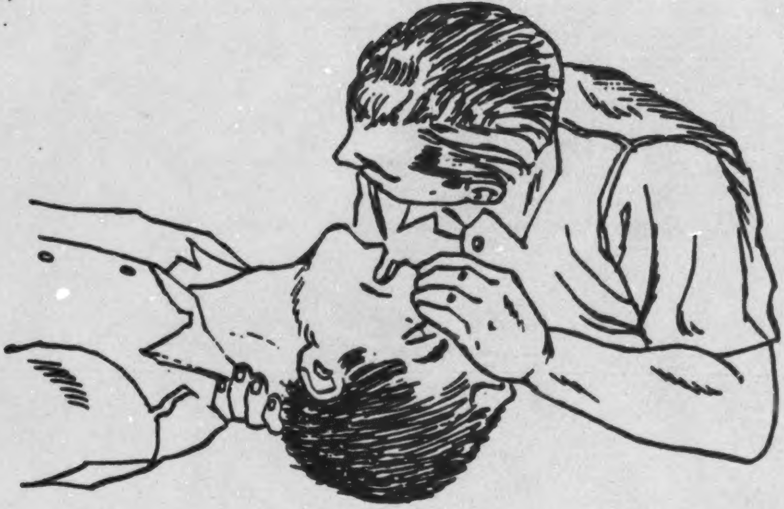

Figure 19 - Watch for Chest to Rise. Listen for Exhalation.

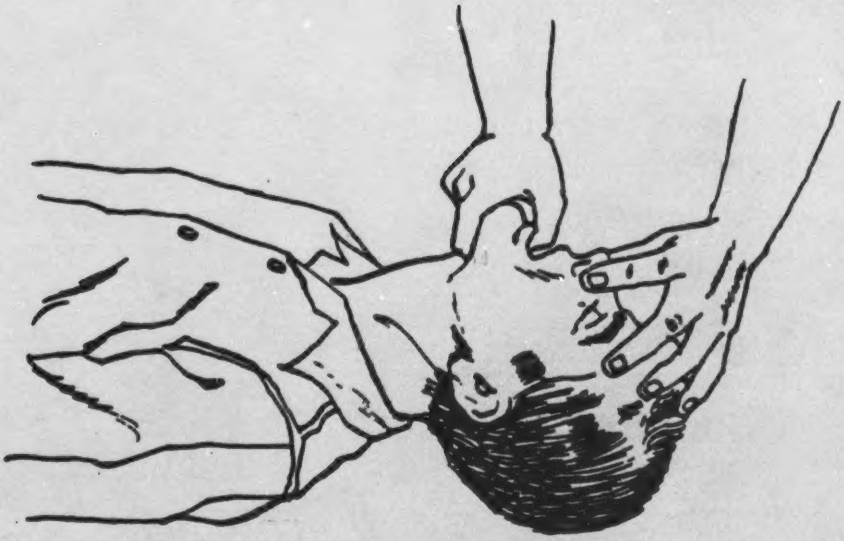

Figure 20 - Elevation of Jaw

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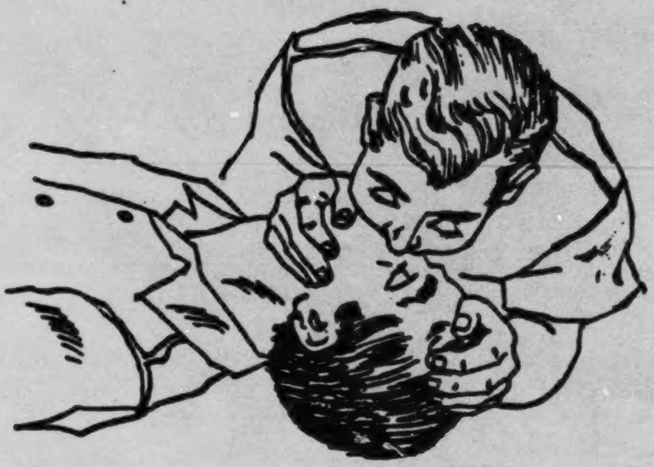


Figure 21 - Mouth-to-Nose

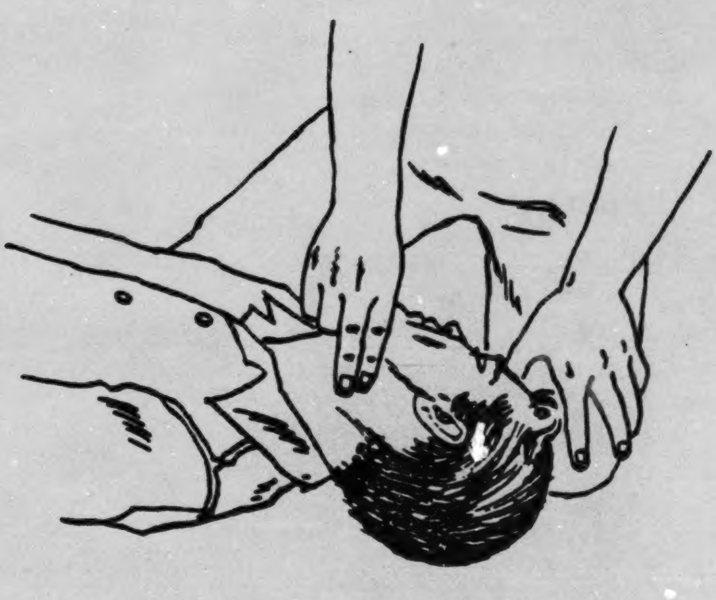


Figure 22 - Carotid Pulse

19.C.8.b.(Continued)

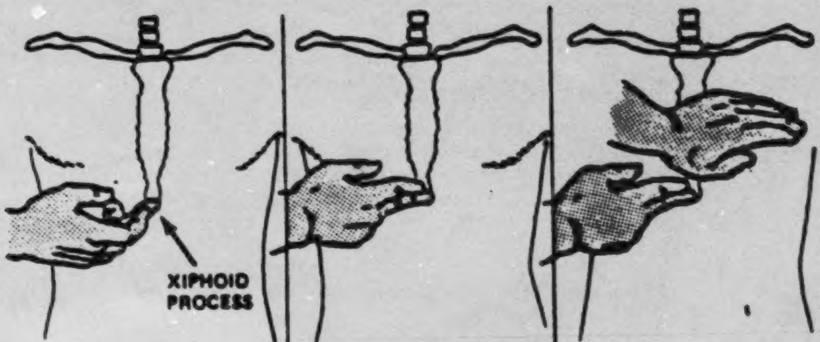

XIPHOID
PROCESS

Figure 23 - Position of Hands

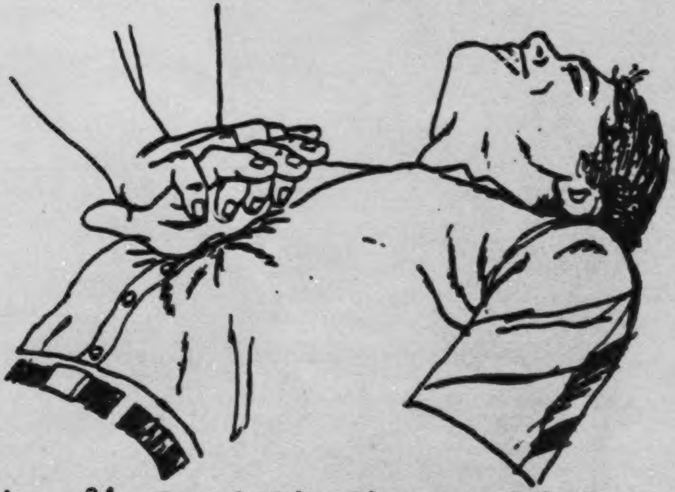


Figure 24 - Interlocking Fingers to Help Keep Fingers Off the Chest Wall

9.C.8.b.(Continued)

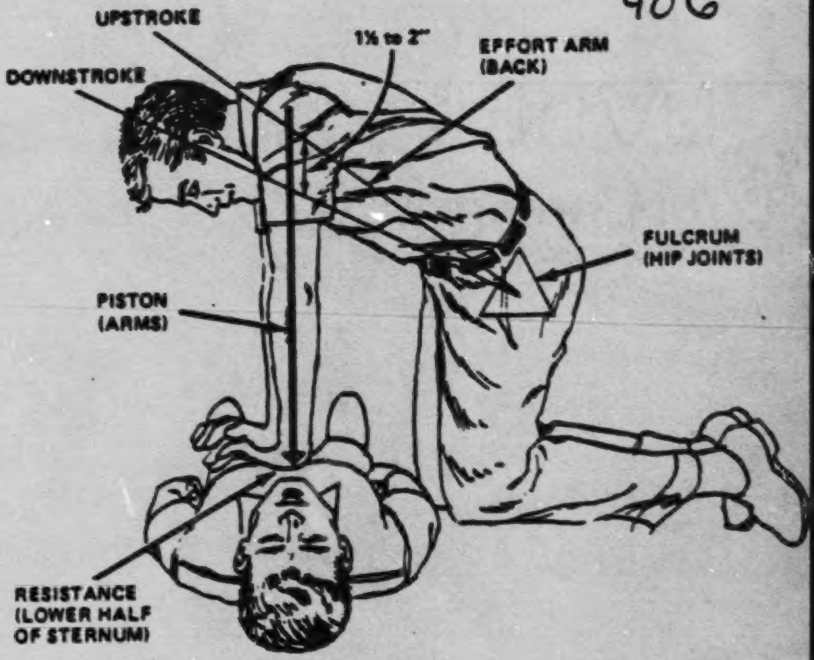

UPSTROKE
1½ to 2"
EFFORT ARM (BACK)
DOWNSTROKE
FULCRUM (HIP JOINTS)
PISTON (ARMS)
RESISTANCE (LOWER HALF OF STERNUM)

Figure 25 - Correct Position of Victim and Rescuer

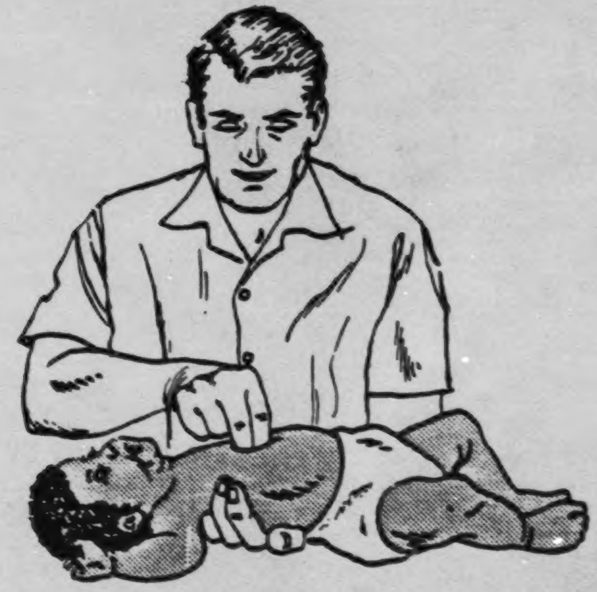


Figure 26 - External Cardiac Massage for Infants

19.C.8.b.(Continued)

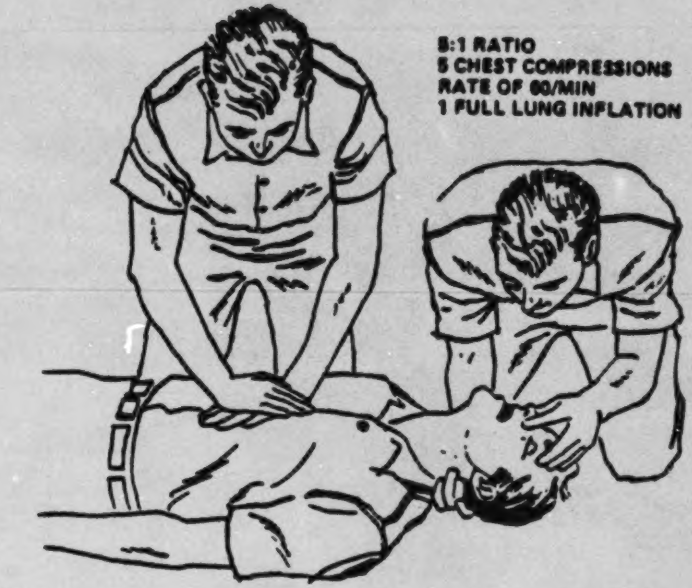

5:1 RATIO
5 CHEST COMPRESSIONS
RATE OF 60/MIN
1 FULL LUNG INFLATION

Figure 27 - Cardiopulmonary Resuscitation for Two Rescuers

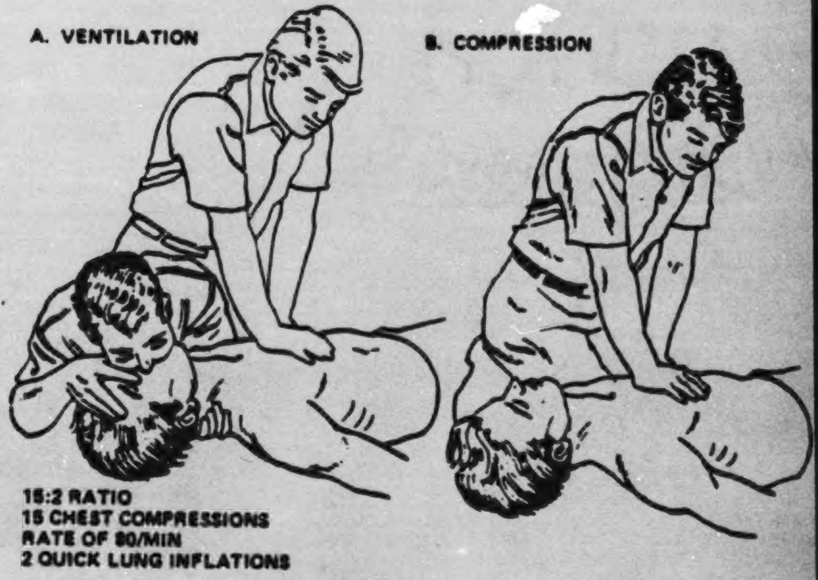

A. VENTILATION
B. COMPRESSION
15:2 RATIO
15 CHEST COMPRESSIONS
RATE OF 80/MIN
2 QUICK LUNG INFLATIONS

Figure 28 - Cardiopulmonary Resuscitation for One Rescuer

19.C.8.b.(Continued)

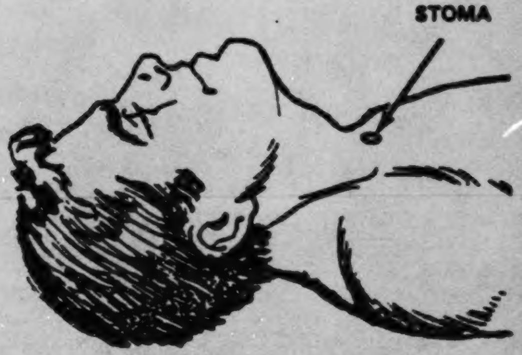


Figure 29 - Laryngectomee

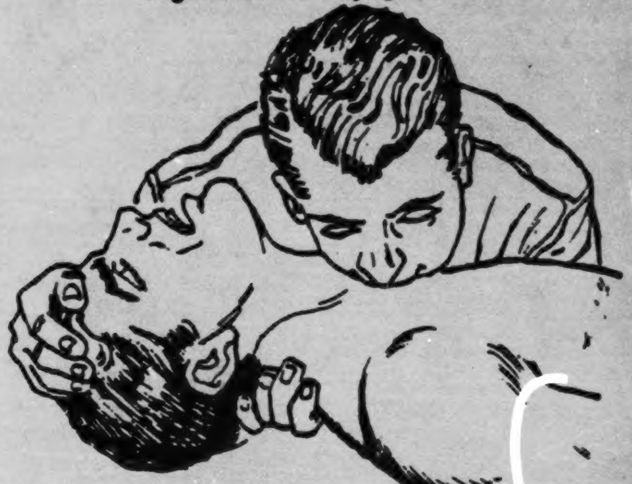


Figure 30 - Mouth-to-Stoma Resuscitation

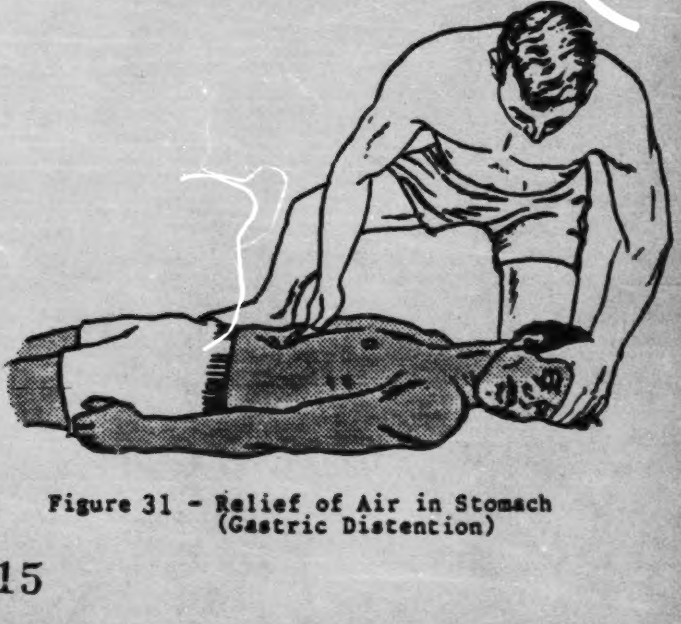
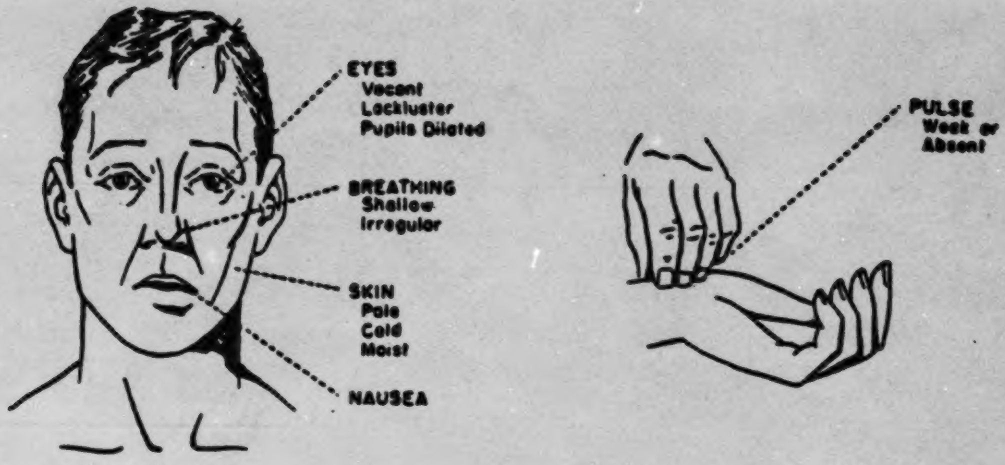


Figure 31 - Relief of Air in Stomach (Gastric Distention)

19.C.8.b.(Continued)


EYES
Vacant
Lackluster
Pupils Dilated
BREATHING
Shallow
Irregular
SKIN
Pale
Cold
Moist
NAUSEA
PULSE
Weak or
Absent

- Look for These Symptoms of Shock

Figure 19–32

D. MANAGEMENT OF SHOCK

1. Shock is a state of circulatory deficiency associated with depression of the vital processes of the body. There are several types of shock, but for the present, we will discuss low blood volume shock (wound, traumatic shock). This is the most frequently encountered and the most important type of shock for the boater to understand.

2. SIGN AND SYMPTOMS

a. Shock should be expected in all casualties who have had such injuries as:

(1) Gross bleeding.

(2) Stomach or chest wounds.

(3) Crush injuries.

(4) Large muscle damage particularly of the arms and legs.

(5) All major fractures.

(6) Traumatic amputation.

(7) Burns involving more than 10 percent of the total body surface.

b. Evaluation of the situation, according to the extent and severity of the injuries, is more important than any particular sign or symptom. The shock syndrome (set of symptoms which occur together) is variable and the symptoms listed below do not appear in every casualty nor are they equally noticeable. The following findings are, however, representative of the varied picture which may be presented by the casualty in shock:

(1) Eyes may be glassy, lackluster, have dilated pupils or suggest fear and apprehension.

(2) Breathing may be normal, rapid, or labored.

(3) The lips may be pale or cyanotic (bluish-gray).

(4) The skin may be very pale or a peculiar ashen-gray (if dark complexion).

(5) The skin temperature may be lowered and the body covered with clammy sweat.

(6) The pulse may be nearly normal or it may be rapid, weak, thready, and of poor volume.

(7) There may be retching (trying to vomit; heave), nausea, vomiting, hiccups and dryness of the mouth, lips and tongue.

(8) Restlessness, apprehension are usual signs.

(9) Veins in the skin are collapsed. Veins normally visible at the front of the elbow, on forearm, and back of hands, may become invisible.

(10) Frequent complaints of thirst. Shock victims may complain of thirst rather than pain, even when they

19.D.2.b.(10)(Continued)

are severely wounded. It's easy to recognize the fully developed picture of shock (Figure 19–33), but it is not so easy to recognize the patient about to go into shock.

3. Treatment for Shock

a. ABC's of first-aid:

(1) Airway—ensure that the victim has an open airway.

(2) Breathing—ensure that the victim is breathing adequately.

(3) Circulation—ensure that the victim has a pulse and has no obvious bleeding wounds.

b. Keep the victim lying down.

c. Elevate lower extremities 8–10 inches (see Figure _____).

d. Keep the victim warm, but do not overheat.

e. Administer oxygen, if available.

f. Splint all fractures.

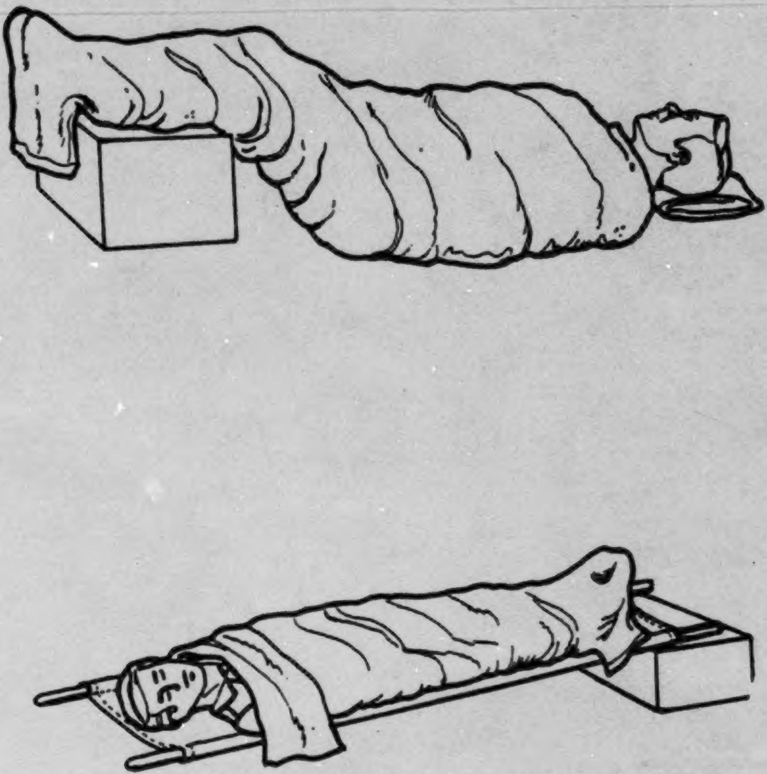
g. Dress and bandage all wounds.

h. Alleviate pain.

i. Administer nothing to the victim by mouth.

j. It is generally agreed that if pain is present, its alleviation is an important part of the treatment for shock. Maintain normal body temperature (98–99 degrees F). If environmental conditions are cold, or damp, remove wet clothing and protect the victim by placing blankets or additional dry clothing over and under the victim. Artificial means of warming (hot bricks, water bottles) should not be routinely used. If conditions are hot, provide protection from the heat or sun.

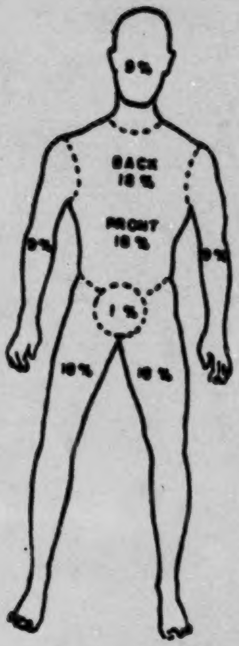
19.D.3.j.(Continued)



Positions for Treatment of Shock

Figure 19–33

19.D.3.j.(Continued)


9%
BACK
18%
FRONT
18%
9%
9%
1%
18%
18%

Estimating Percentage of Burned Area

Figure 19–34

E. BURNS

1. Burns are usually classified by depth or degree of skin damage. The three general classifications are:

    a. **First degree.** First degree burns are the mildest, involving only the outer layer of skin, and producing redness, increased warmth, tenderness, and mild pain.

    b. **Second degree.** Second degree burns extend through the outer layers of the skin and involve the inner layers of the skin, but not enough to prevent rapid regeneration. They produce vesicles and blebs (blisters) and are characterized by severe pain.

    c. **Third degree.** Third degree burns are full thickness, destroying both the outer and inner layers of skin. Severe pain, characteristic of second degree burns, may be absent because nerve endings have been destroyed. Color may range from white and lifeless to black (charred). Healing occurs only after many months and then with contracture and scarring of the skin tissue. Skin grafts are generally required.

2. Causes of burns are generally classified as thermal or chemical, or as resulting from a sunburn, electric shock, or radiation. Whatever the cause, if the burns are extensive, the body responds with shock.

3. Burns of the respiratory tract are very serious and may be diagnosed by singeing of nasal hairs, cough, coughing up blood or carbon particles, and swelling of the voice box.

4. **TREATMENT - DO NOT PUT BUTTER OR GREASE ON BURNS**

    a. First aid for all burns involves the following main items:

        (1) Relieve pain.

        (2) Prevent or treat for shock

        (3) Try to prevent infection

5. In electric burns, the burn may have to be ignored temporarily while resuscitation measures are carried out (see "Methods of Resuscitation" for ways to restore breathing and restart the heartbeat).

a. First aid for burns according to classification:

(1) **First degree.** Ice water may be used for small first degree burns. Otherwise, cover the burn with a dry, preferably sterile dressing.

(2) **Second degree.** Same as first degree burns. Do not break open any blisters. Cover with a dry, sterile, nonadhesive dressing.

(3) **Third degree (or deep second degree burn).** Cover the burn to exclude air. This can be done, for example, with sterile dressings, clean laundry sheets or other linens. It is **extremely important to treat for shock and obtain medical attention.** DO NOT remove charred clothing that sticks to the burn. DO NOT apply ice water over the burn. DO NOT apply home medications.

6. CHEMICAL BURNS

a. Chemical burns of the skin or eyes produce the same type of burn as do agents such as flash fires, flame, steam, or hot liquids. First aid for this type of burn is to wash away the chemical completely with large quantities of water as quickly as possible. Continue flushing the burn for at least five minutes. After washing the burn with copious amounts of water, ACID BURNS should be neutralized by washing with a diluted sodium bicarbonate solution, and ALKALI BURNS with vinegar or diluted acetic acid solution. **When the burn involves the eye,** flush the eyes with water for five minutes, then cover the eye with a dry, clean, protective dressing and seek medical attention as quickly as possible. Give first aid for shock.

7. QUICK REFERENCE CHART

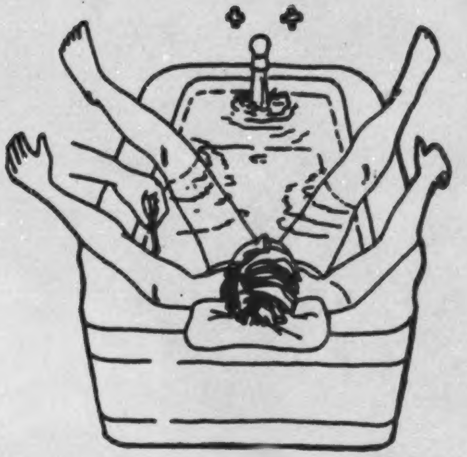
a. The following quick reference chart gives first aid advice for burns according to classification:

19.E.7.a.(Continued)

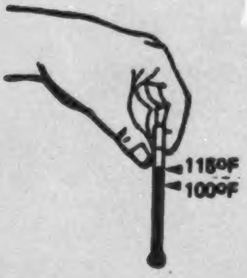
BURN	*DO*	*DON'T*
First Degree (redness, mild swelling and pain)	Apply dry sterile dressing, home medication.	Apply butter, etc.
Second Degree (deeper and blisters develop)	Apply dry nonadhesive sterile dressing Treat for shock. Obtain medical attention if severe.	Break blisters. Remove shreds of tissue. Use preparation, ointment, spray or home remedy on severe burns.
Third Degree (deeper destruction, skin layers destroyed)	Cover with sterile cloth for protection. Treat for shock. Watch for breathing difficulty. Obtain medical attention quickly.	Removed charred clothing that is stuck to burn. Apply ice. Use home medication.

19.E.7.a.(Continued)

HEAT, COLD, AND EXPOSURE INJURIES



· Treatment of Choice for Hypothermia



Correct Water Temperatures for Treating Hypothermia

Figure 19–35

F. HYPOTHERMIA

1. Hypothermia is a loss of body heat which impairs the circulatory system (system through which blood is transported throughout the body) and can, if enough body heat is lost, cause death. Survivors of maritime disasters frequently suffer from this condition in addition to a variety of injuries, exposure and shock. General body hypothermia is the leading cause of death among survivors of shipwreck and other disasters at sea. If not recognized and treated promptly, hypothermia can rapidly turn a survivor into a fatality. During, and subsequent to rescue operations, a survivor in a critical hypothermia condition may suffer a fatal loss of body temperature due to physical exertion, or delay in taking immediate positive measures to restore body heat. A struggling survivor trying to aid in his own rescue may drive his body temperature down below the point where unconsciousness and/or death result. A survivor removed from the water and left untreated may suffer a further critical loss in body temperature bringing on death after rescue. It should be noted that survivors in relatively "warm" water can also suffer from hypothermia if exposed long enough. Also, the condition can be brought on by the exposure to cold air temperature without adequate protective clothing.

2. SYMPTOMS OF HYPOTHERMIA

a. **Body Temperature**. This is the most useful yardstick in identifying hypothermia. Hypothermia victims will have a rectal temperature which is lower than normal (normal is 98–99 degrees F). Only rectal temperatures are of value.

b. **Blood Pressure**. Hypothermia victims will have a lower than normal blood pressure (normal is around 120/80).

c. When neither a rectal thermometer nor a blood pressure apparatus is available, the following outwardly visible symptoms should help to identify the hypothermia victim:

   (1) **Pulse**: Pulsebeat is generally slow and often irregular.

   (2) **Level of Consciousness**. Individuals suffering from hypothermia tend to lose consciousness. Their level of consciousness becomes clouded as their body temperature approaches 90 degrees F and they generally become unconscious at 85 degrees F.

(3) **Appearance**. In general, the hypothermia victim is **pale in appearance**, his **pupils are constricted and react poorly to light** and his **respiration is slow and labored.** He may be **shivering violently** and **muscular rigidity** may be present. He may give the **appearance of intoxication.**

3. PRECAUTIONS DURING RESCUE

a. If, due to the air or water temperature, or the length of time a survivor has been exposed, critical hypothermia is suspected, rescue attempts should be made in such a manner as to minimize the amount of exertion by the victim. This can most often be accomplished by sending someone, suitably clothed, to the survivor to physically aid him into the rescue devices used.

4. TREATMENT OF HYPOTHERMIA

a. Emergency treatment should begin as soon as possible to stop the loss of body heat. (Evacuation to a medical facility should be accomplished after or during emergency treatment).

(1) **Remove wet clothing**. If the patient's body temperature is 95 degrees or above, no treatment is necessary other than dry clothing in a warm compartment. If the patient cannot be removed to a warmed compartment with blankets, dry clothing or warming method, the wet clothing should not be removed. Under these circumstances, the wet clothing is better than no clothing.

(2) **Warm rapidly**. However, do not burn or overheat the victim. The following warming methods are recommended. They are listed in order of preference according to available facilities:

(a) **Water bath (most effective)**. Bath temperatures must be over 100 degrees F but not over 115 degrees F. A temperature of 110 degrees F is recommended. **If a tub is not available, an inflated life raft can be used as a tub**. Place the patient's trunk in the bath with his limbs out of the water if this position is possible (Figure 19-35).

(b) **Shower** at 115 degrees F with the patient wrapped in towels or blanket. The victim should be lying down if possible.

(c) **Apply warmed blankets** in a warm cabin with a heating pad or hot water bottle on the patient's trunk, head, and neck. Leave the victim's extremities outside the blanket.

(d) **Apply body warmth** by direct contact with a member of the rescue team.

(3) **Observe respiration closely and remove any secretions from the victim's nose and mouth.**

(4) **Give nothing orally.** Watch the victim for vomiting and possibility of aspiration (taking into the lungs) of vomitus. **ALCOHOL IS ABSOLUTELY FORBIDDEN in deep hypothermia.**

(5) **Treat for shock.**

G. OTHER FIRST AID

1. Injuries and sudden illnesses other than those mentioned previously may occur. The procedures are first aid measures ONLY. Medical attention should be obtained as soon as possible.

2. BROKEN BONES (FRACTURES)

a. **SYMPTOMS**: Symptoms may include:

(1) Pain, swelling and discoloration at the site of the injury.

(2) Misalignment (deformity) of the injured part.

b. **TREATMENT**:

(1) Treat every suspected fracture as if it were a fracture until it is proven to be otherwise. Protect and immobilize all injured patients until the diagnosis is made. "SPLINT THEM WHERE THEY LIE."

(2) Always use gentleness and care in handling any broken limb.

(3) Eliminate all unnecessary handling of the injured part. Roughness is inexcusable.

(4) Disturb the patient as little as possible.

(5) Do not be deceived by the absence of deformity and disability; in many cases of fracture some ability to use the limb persists.

(6) Make sure that you are not dealing with more than one fracture.

(7) Keep the broken bone ends and the joints above and below the injury immobilized.

(8) A splint is intended to maintain immobilization of a fracture.

(9) Splints should be applied before the victim is moved. Any unnecessary manipulation must be avoided.

(10) Rules governing the application of splints:

  (a) Apply splint snugly but do NOT cut off circulation.

  (b) Never hide a tourniquet with a splint or bandage.

  (c) Splints should be well padded.

  (d) Splints must be long enough to immobilize the joint above and the joint below the point of injury.

  (e) Apply the splint where the patient lies.

  (f) Make use of assistance and use enough splint. Do not be stingy.

  (g) Minimize moving and handling the victim.

(h) Leave tips of fingers and toes out and check them often for circulation adequacy.

(i) You can always splint a fractured arm to the patient's chest, and you can splint one fractured leg to the other unfractured leg.

(11) The specific splint selected is of far less importance than the immobilization achieved.

(12) Treat for shock.

3. HEART ATTACK

a. A heart attack is a true medical emergency, since the victim is in significant danger of going into cardiopulmonary arrest. Symptoms of a heart attack are:

(1) Severe, crushing type of pain under the breastbone and often radiating to the arms, neck and jaw.

(2) Profuse sweating.

(3) Shortness of breath.

(4) Extreme anxiety.

(5) Nausea and sometimes vomiting.

(6) Bluish discoloration of lips, fingernails and skin.

b. The treatment for a heart attack is:

(1) Keep the victim quiet and at rest.

(2) Place the victim in the position of most comfort; sometimes the victim may want to sit up, especially if he is short of breath.

(3) Administer oxygen, if available.

(4) Reassure the patient that assistance is on the way or that you are transporting him to a hospital.

(5) Transport the patient as quickly, but as safely, as possible to a hospital.

(6) MEDEVAC the patient by helicopter, if this can get him to a hospital more quickly than otherwise.

4. EMERGENCIES DUE TO HEAT

a. When a person exerts himself in a hot environment, a considerable part of his circulation must be directed into blood vessels of the skin in order to radiate heat from the surface and to support activity of the sweat glands. When the nerves which control expansion and contraction of blood vessels and heart output are inadequate to meet the needs of increased skin circulation, in addition to muscle and brain circulation, the individual collapses.

b. **Heat Exhaustion** is a physiologic disturbance following exposure to heat. It can occur in even the most physically fit man and woman by heavy enough work in severe enough environment. However, it is usually non-fatal.

(1) **Symptoms**. In heat exhaustion, faintness, usually with a sense of pounding of the heart, is the predominant symptom. Nausea, vomiting, fainting, headache, and restlessness are also common. The casualty who has collapsed in the heat and is perspiring freely almost surely has heat exhaustion. Even though his temperature may be somewhat elevated, **sweating rules out the diagnosis of heat stroke.** Under general supportive treatment the victim of heat exhaustion will usually recover consciousness promptly, even though he may not feel well for some time.

(2) **Treatment:**

(a) Move victim to a cool place

(b) Keep victim lying down; treat for shock (see section 1906)

(c) If conscious, administer copious amounts of water.

c. **Heatstroke – Heatstroke is a serious Emergency!** Heatstroke has for its distinguishing characteristic an extreme elevation of body temperature. This is due to a failure of the sweating mechanism and it may occur whenever heat regulation is dependent upon sweating for a long period of time. Heatstroke calls for heroic measures to reduce body temperatures immediately to prevent brain damage and death.

(1) **Symptoms.** Headache, dizziness, irritability, disturbed vision. Patient suddenly falls unconscious; skin is hot and dry; pupils are contracted; pulse is full, strong, and bounding; may be convulsions; body temperature is from 105 to 109 degrees F.

(2) **Treatment:**

(a) Place the patient in the shade or a cool place.

(b) The aim of treatment in heatstroke is to reduce the body temperature to a safe range as rapidly as possible for brain damage is the product of time as well as temperature. Total immersion in an ice-water bath is probably the most efficient method. If this is not possible then;

(c) Remove clothing. Lay patient in supine position with head and shoulders slightly elevated.

(d) Try to decrease the patient's body temperature by one of the following methods:

1. Pour cold water over the body.
2. Rub body with ice. Place pieces of ice in armpits.
3. Cover with sheets soaked in ice water.

(e) Give cool (not iced) drinks after consciousness returns.

(f) DO NOT give stimulants.

d. **HEAT CRAMPS** – Heat cramps are painful contractions of various skeletal muscles brought about by the depletion of sodium chloride (salt) from the body fluids, via excessive sweating.

(1) **Symptoms.** In the typical picture, the patient has his legs drawn up, is thrashing about, grimacing, and crying out from the excruciating pain.

(2) **Treatment.** The treatment is salt and water. Drinking cool water with 1/2 teaspoon of salt will afford both relief and continued protection.

NOTE: THE USE OF HOT PACKS ON CRAMPED MUSCLES WILL ONLY MAKE IT WORSE.

5. **MINOR WOUNDS (without severe bleeding)**

a. Cleanse the wound thoroughly with soap and large amounts of water and apply a sterile or clean dressing. Have the victim obtain medical attention if signs of infection (swelling and discoloration, pain, fever, pus nodules, and red streaks) develop.

6. **FOREIGN BODIES ON OR IN THE EYEBALL**

a. Symptoms include spasms of the eyelid, a feeling of sand in the eye, or a scratchy sensation.

b. Treatment:

(1) Attempt to remove the foreign body first by flushing the eye with water. The water should be warm and the stream directed away from the nose. Use very little force. Position the patient so that the stream will not run into the other eye.

(2) Carefully remove a loose foreign body with moistened cotton-tip applicator.

(3) If the foreign body is embedded in the surface of the eyeball or if it has penetrated the eyeball, the victim should be taken immediately to the care of a specialist.

   (a) Evacuate the victim lying down on a litter with his head fixed to prevent movement.

   (b) Instruct the patient not to squeeze his eyelids together or place any pressure on the eyeball.

   (c) Caution the victim not to strain, lie on stomach, or even to perform such ordinary tasks as removal of clothing.

   (d) Put NOTHING in the victim's eye.

   (e) Patch BOTH of the victim's eyes.

c. Proper application of an eye patch is mandatory. An improperly applied eye patch is worse than no patch at all. All eye patches must be firm. A loose fitting patch allows the eyelids to move beneath it, causing further damage to any injury. Apply the eye patch in the following manner:

(1) Place eye pads or gauze sponges over the eye.

(2) Apply strips of adhesive tape 1 inch from forehead to cheek running diagonally across the eye.

(3) Apply each succeeding piece of tape firmly after pulling the skin together to ensure the application of a firm uniform patch.

(4) Upon completion of patching, the patient should not be able to move his eyeball.

7. POISONING BY MOUTH

a. If this occurs, it is vital that proper first aid be given immediately. If a person takes poison orally, the following first aid steps should be taken:

(1) Dilute the poison with milk or water.

(2) If the victim is conscious and the poison is not a strong acid, strong alkali, or petroleum product, then induce vomiting. Vomiting may be induced by gagging or stroking the victim's throat with one or two fingers or by giving the victim warm, soapy water. Specific procedures for combatting poisoning are often included on the product container.

(3) Seek medical attention IMMEDIATELY. It is important to identify the type of poison involved, therefore, take the container of poison with the victim when seeking medical attention.

8. STROKE (apoplexy)

a. The symptoms of a major stroke are unconsciousness, heavy breathing and paralysis of the limbs on one side of the body. However, if the brain damage is slight, the only symptoms may be dizziness, headache, or muscular difficuly involving some body part. TREAT FOR SHOCK. If the victim has difficulty breathing, help him maintain an open airway and give mouth-to-mouth resuscitation if needed.

9. COLD INJURIES

a. Cold injuries may be defined simply as tissue injury caused by exposure to cold. Traditionally, cold injuries are categorized as chilblains, immersion foot, trench foot, and frost-bite (in order of ascending severity). However, these categories serve little purpose other than to describe the mode of injury. The following table attempts to show the times and temperatures involved in producing cold injuries and the symptoms which each level or type of injury can be expected to present.

b. **TREATMENT:**

(1) Cold injuries should never be treated lightly because of the tissue loss and nerve damage which are frequently associated with these injuries.

(2) First aid measures in general consist of restricting the patient's activities, giving mild stimulants such as tea or coffee, taking great care not to injure the numbed skin when removing constrictive clothing or gear, not giving alcohol or tobacco, and also not using snow, ice, or grease. DO NOT MASSAGE OR APPLY DRY HEAT. Great care must be exercised to prevent infection and any blisters or blebs should not be broken. DO NOT RUB affected part. Keep affected part slightly elevated. Keep part dry. If part has been frostbitten, it should be rapidly warmed in a controlled temperature water bath (105 to 110 degrees F for 10 minutes). Get patient under the care of a medical officer.

19.G.9.b.(2)(Continued)

Table I. **Causative Factors and Symptoms of Cold Injuries**

Classification of Injury	*Time and Temperature Factors*	*Symptoms*
1st Degree: Chilblains Pernio	Repeated exposure, several hours at a time, to temperatures between 32 to 60 degrees F; generally associated with high humidity.	Redness and swelling; itching, dermatitis; tingling, and later deep-seated ache.
2nd Degree: Immersion Foot	Exposure to cold water (50 and below) 12 hours or more; or, to water of approximately 70 degrees for several days.	Swelling legs and feet; cyanosis; numbness; tinging; itching; blisters; intense burning pain; neuromuscular changes.

19.G.9.b.(2)(Continued)

Trench Foot	Exposure to cold (32 to 50 degrees), damp weather, several hours to 14 days (average 3 days).	Part blanches, tingles, then becomes numb. Swelling legs and feet; cyanosis; blisters; intense burning pain; neuromuscular changes.
3rd Degree: Frostbite	Generally, brief exposure to extreme cold (-20 degrees and below), or exposure to approximately zero weather for several hours.	First burning, stinging, then numbness. Ice crystals in skin cause white or grey waxy color. Skin will move over bony prominences. Edema; blebs; aching pain. Loss of motion. Later gangrene, loss of tissue.
4th Degree: Freezing	Exposure to –20 to –60 degrees F. and below. May happen rapidly to exposed toes and fingers with extension as exposure is prolonged.	Ice crystals in entire thickness of part including bone, indicated by pallid, yellow, waxy color. Skin will not move over bony prominences. Edema; large blebs; intense pain; loss of motion. Later gangrene, loss of part.

10. ANIMAL BITES

a. Bites inflicted by dogs are perhaps the most frequently recurring of the animal bites, but also of concern and requiring medical attention are cat, rat, squirrel, fox, and bat bites.

b. The prime concern in all animal bites is the possibility of the development of rabies. If the biting animal can be captured it should be impounded for observation. Signs of rabies will be unmistakable within 48 hours of the biting.

c. If the animal disappears but the circumstances surrounding the biting indicate that the animal was not provoked but bit compulsively, administration of the anti-rabies vaccine is a must. Bats have become infected to the point that any bat bites must be considered infective. Bites from foxes, squirrels or other shy forest creatures should never be neglected.

d. **Treatment:**

(1) There is no known effective treatment for established human rabies. Fortunately, however, there is a rabies vaccine available. This vaccine MUST BE GIVEN to anyone suspected of being rabid. SEEK MEDICAL CARE IMMEDIATELY.

(2) Prompt local treatment of all wounds inflicted by rabid animals is often decisive in blocking the spread of the rabies virus to the brain, and may even kill the virus on spot. Scratches, lacerations, or superficial bites inflicted by a rabid animal should be washed with tapwater and soap. These measures can appreciably reduce the risk of rabies infection, and are particularly important if there is to be a delay in getting the victim to a doctor.

(3) Treatment of dog bite in which rabies is NOT suspected is relatively simple. In any event, the wound should be gently irrigated and covered with a clean or sterile dressing. The services of a physician should then be sought.

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11. FISH BITES AND STINGS

a. **Sharks.**

(1) Sharks and barracuda bites generally result in the loss of large amounts of tissue. Prompt and vigorous action to control hemorrhage and shock are necessary to save life. Bleeding should be controlled with pressure dressings if at all possible. If not, tourniquets may be used. Seek medical help immediately.

b. **Fish Stings.**

(1) Symptoms may include:

(a) Burning
(b) Stinging
(c) Redness
(d) Swelling
(e) Rash
(f) Blisters
(g) Abdominal cramps
(h) Numbness
(i) Dizziness
(j) Shock, and more

c. For **Portuguese Men-of-War** stings, remove tentacles immediately and wash skin surface with alcohol – then apply calamine lotion or ammonia water.

d. For **Jellyfish,** treatment is about the same; apply meat tenderizer, ammonia water, vinegar, or soothing lotion. Cardiopulmonary resuscitation is sometimes needed.

e. The wound produced by the **Stingray** should be irrigated immediately with cold salt water. Much of the toxin will wash out and, in addition, the cold water will help lessen the pain. The part should then be immersed in hot water for 30 minutes to an hour. The water should be maintained at as high a temperature as the casualty can tolerate without injury (hot compresses can be applied for wounds in areas not lending themselves to immersion). A sterile dressing should be applied after the soak.

12. INSECT BITES

a. **Spiders**

(1) The most common of the serious insect bites are those inflicted by **the female black widow spider.** Within 15 to 30 minutes abdominal muscular rigidity, becoming boardlike, and abdominal cramps begin. Only the absence of nausea and vomiting and "slight" tenderness in the abdominal region distinguish these signs from other abdominal conditions. Local measures are limited. Excision and suction are of no avail, but simple cleansing of the bitten area with application of mild antibacterial agents such as alcohol to rid it of bacteria carried there by the usually dirty spider is recommended. Weakness, tremor, and excruciating pain of the limbs usually develop. Labored breathing and speech, stupor and delirium, and convulsions may occur. Seek medical help IMMEDIATELY.

(2) The **brown house spider** produces severe local pain, restlessness, fever, rash, and sometimes destruction of blood cells by its bite. At the bite site a sore develops which leaves a deep purple scar. Local treatment is the same as for the Black widow spider bite. Seek medical attention IMMEDIATELY.

b. **Bees, Wasps, Hornets, Ants**

(1) Poisons common to this group are similar to venom of the pit viper type of snake. Discomfort can be reduced by prompt application of strong household ammonia solution. In those who are allergic to this group of insects, stings about the head and neck can produce such swelling as to occlude the breathing. Prompt administration of oxygen and artificial resuscitation are often appropriate. Seek medical help IMMEDIATELY.

H. HANDLING AND TRANSPORTATION OF THE INJURED

1. One of the major problems in dealing with injured persons aboard small boats is that of transportation of the victim to medical help. In many

19.H.1.(Continued)

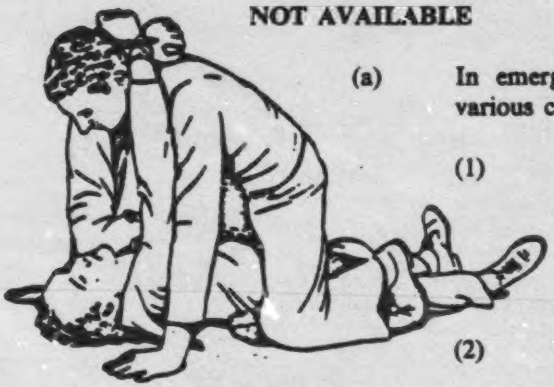
situations, it would be difficult, if not impossible, for medical help to reach the victim; therefore, Coast Guard personnel must have a basic knowledge of transportation of injured persons so that they can safely and quickly deliver the victim to medical help.

2. The sooner the victim can be moved, the better. It is normally the responsibility of the person giving first aid to see that the victim is transported safely and without being subjected to further injury, shock or unnecessary pain.

3. Moving a patient is precise work. It calls for close teamwork and great care. Even the act of placing the patient on a stretcher demands coordination and practice. The simple movements involved in lifting the stretcher-bound patient and walking with him call for specific procedures.

4. There are two important rules to remember when transporting an injured person. If possible, never move the patient until he has been examined and his injuries have been protected by properly applied splints and dressing. Always transport seriously injured patients in a lying down position.

5. **EMERGENCY CARRY METHODS WHEN A STRETCHER IS NOT AVAILABLE**



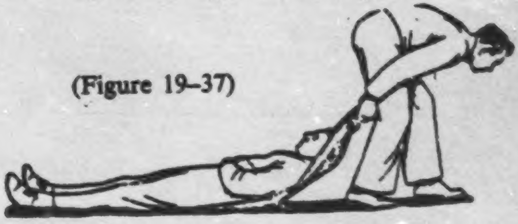
(Figure 19-36)

(a) In emergencies when a stretcher is NOT available, various carries may be used, such as:

(1) **Drag Carry** - One rescuer method for hauling an unconscious patient for a short distance. First the casualty's hands are tied, then placed behind the rescuer's neck (Figure 19-36).

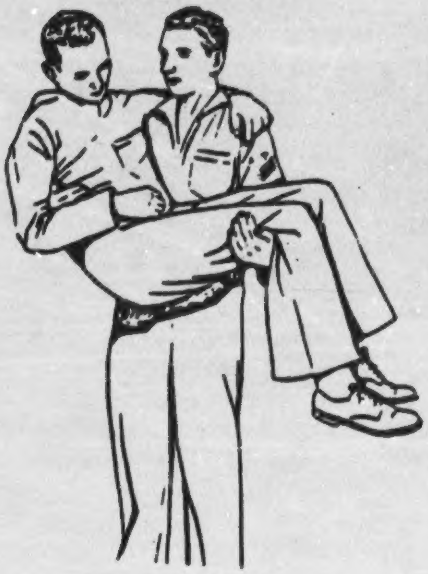
(2) **Blanket Drag.** The casualty is placed on a blanket and moved by pulling on one end. This method is used when the casualty is unconscious and has injuries which forbid handling or lifting by a single bearer (Figure 19-37).

(Figure 19-37)



435

19.H.5.(a)(2)(Continued)

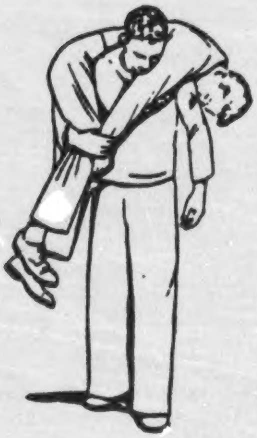


(Figure 19-38)

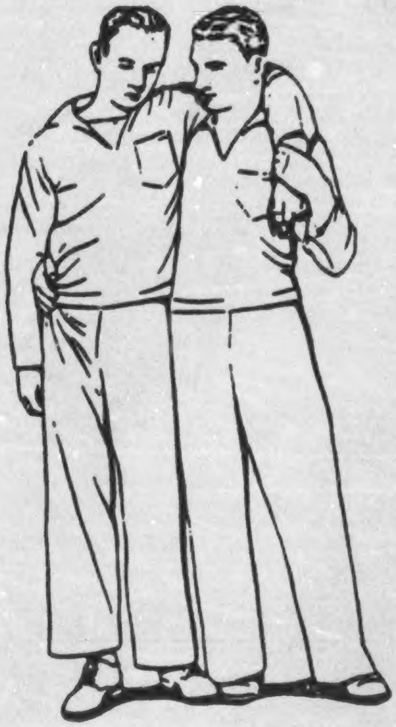
(3) **Arm Carry.** Another one-man carry for a victim who cannot walk, but is sufficiently responsive to hang on with his arms (Figure 19–38).

(4) **Fireman's Carry.** This one-man carry is probably the easiest way to move an unconscious patient. Figure 19–39 shows the step-to-step positioning of victim and rescuer.

(5) **Supporting Carry.** If the victim is conscious and merely needs support, he may be helped in walking by leaning against the rescuer and putting his arm around the rescuer's neck. The rescuer in turn holds onto the victim's arm and puts his arm around the waist of the victim (Figure 19–40).



(Figure 19-39)



(Figure 19–40)

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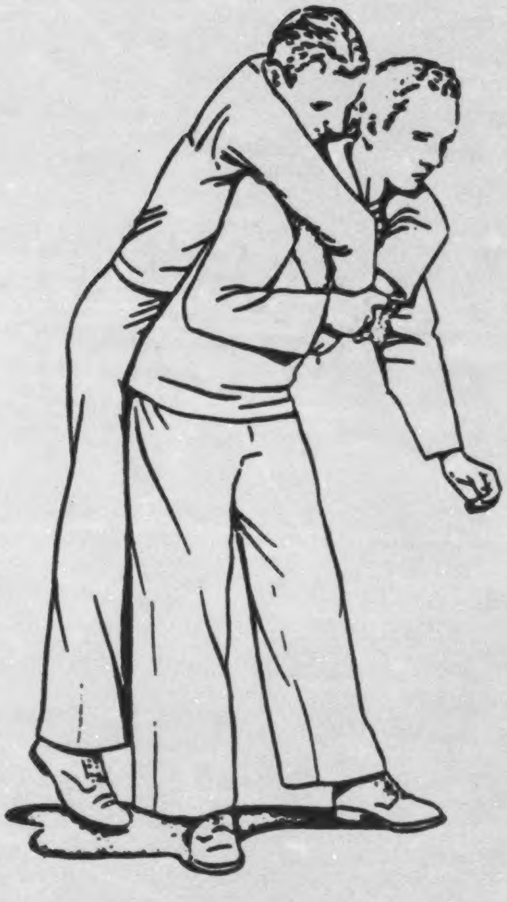
(6) **Pack-Strap Carry.** If the patient is on a bed or in a chair, this carry is convenient. The patient's arms are brought across the shoulders taking care that they are well up, i.e., that his armpits rest on the shoulders of the rescuer. His arms are then crossed in front and grasped firmly (Figure 19–41).

437

19.H.5.(a)(6)(Continued)



- Pack-Strap Carry

Figure 19–41

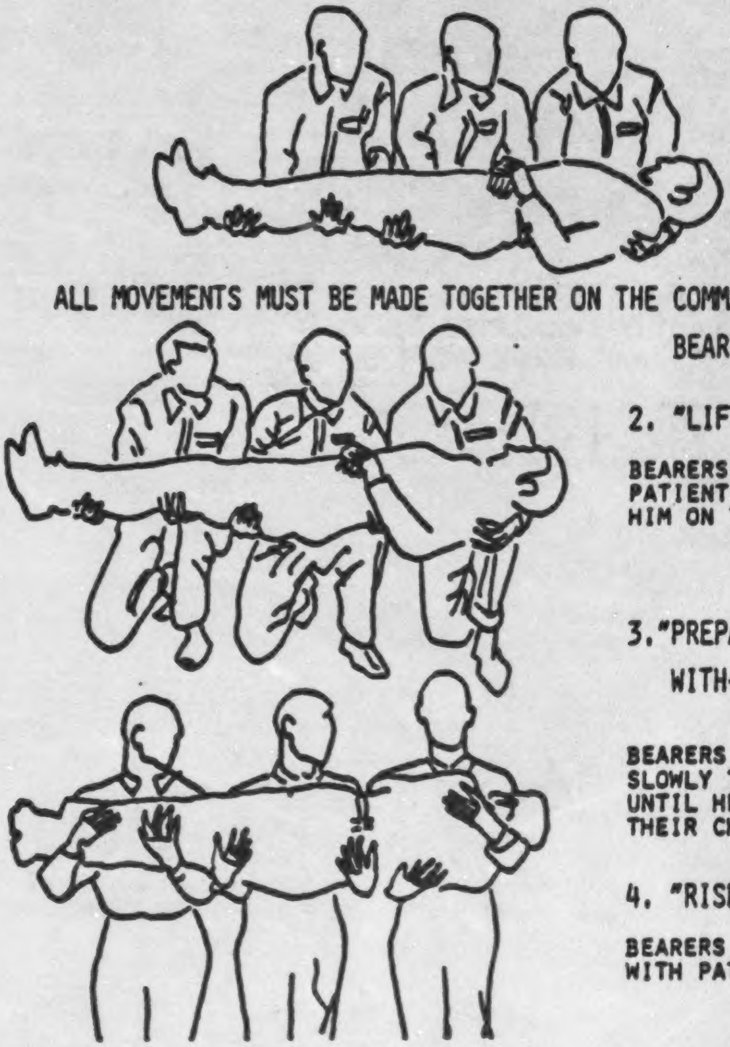
19.H.5.(a)(6)(Continued)

THREE-MAN LIFT AND CARRY

ALL MOVEMENTS MUST BE MADE TOGETHER
ON THE COMMAND OF ONE BEARER (CAPTAIN)

COMMAND: I. "PREPARE TO LIFT-PATIENT"

THIRD MAN:	SECOND MAN:	FIRST MAN:
POSITIONS HANDS UNDER PATIENT'S ANKLES AND KNEES	POSITIONS HANDS UNDER THIGHS ANDS SMALL OF BACK	POSITIONS HANDS UNDER SHOULDERS AND NECK



ALL MOVEMENTS MUST BE MADE TOGETHER ON THE COMMAND OF ONE BEARER (CAPTAIN)

2. "LIFT-PATIENT"

BEARERS SLOWLY LIFT PATIENT AND SUPPORT HIM ON THEIR KNEES

3."PREPARE TO RISE WITH-PATIENT"

BEARERS TURN PATIENT SLOWLY TO HIS SIDE UNTIL HE RESTS AGAINST THEIR CHESTS

4. "RISE WITH-PATIENT"

BEARERS RISE SLOWLY WITH PATIENT

Figure 19–42 Three Man Lift and Carry

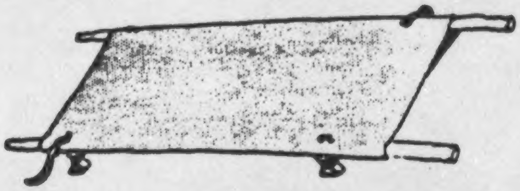
19.H.6.b.(Continued)

(7) **Three Man Lift and Carry**. This carry is used to transport injured persons for short distances, or through narrow passageways. This lift is also used to place an injured person on a stretcher. For this carry, **all movements must be done in unison**, with all members of the team moving at the commands of a leader (or one of the bearers). The procedures for properly executing a three-man lift and carry are shown in (Figure 19–42).

(b) THE CARRIES LISTED ABOVE SHOULD BE USED ONLY WHEN IT IS POSITIVELY KNOWN THAT NO INJURY WILL BE AGGRAVATED BY SUCH HANDLING.

6. TYPES OF LITTERS

a. **Army-Type Litter.** The Army litter is made of canvas and is supported by wooden or aluminum poles. It is collapsible and is most practicable for use in field operations (Figure 19–43).

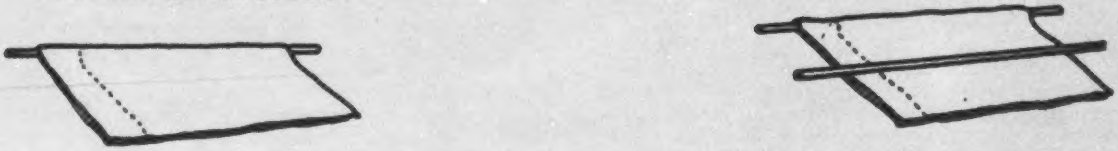


b. **Improvised Litters.** Improvised litters may be prepared from two long poles or pieces of pipe (7 to 8 feet long) and strong material such as a blanket. To make one of these stretchers, place one pole about one foot from the center of the unfolded blanket (or other material). Place the second pole or pipe on the second thickness of blanket about two feet from the first pole and parallel to it. Fold the remaining side of the blanket over the second pole toward the first pole. When the injured person is placed on the blanket, the weight of the body will secure the fold (Figure 19–44). Other materials that may be used as stretcher beds are cloth bags, sacks, coats, or jackets. If bags or sacks are used, rip the bottom so that the poles may be passed through them. Use enough to give the length of bed

19.H.6.b.(Continued)

required. When using coats or jackets, turn them inside out and pass the poles through the sleeves. Then turn down the flaps around the poles and button them underneath (Figure 19–45). ALWAYS TEST AN IMPROVISED STRETCHER CAREFULLY BEFORE PLACING AN INJURED PERSON UPON IT.

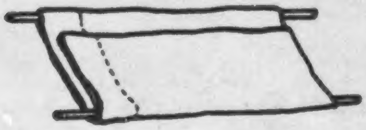
. **Improvised Litters**



A. OPEN A BLANKET, LAY ONE POLE LENGTHWISE ACROSS THE CENTER AND FOLD BLANKET OVER IT

B. PLACE THE SECOND POLE ACROSS THE CENTER OF THE FOLD

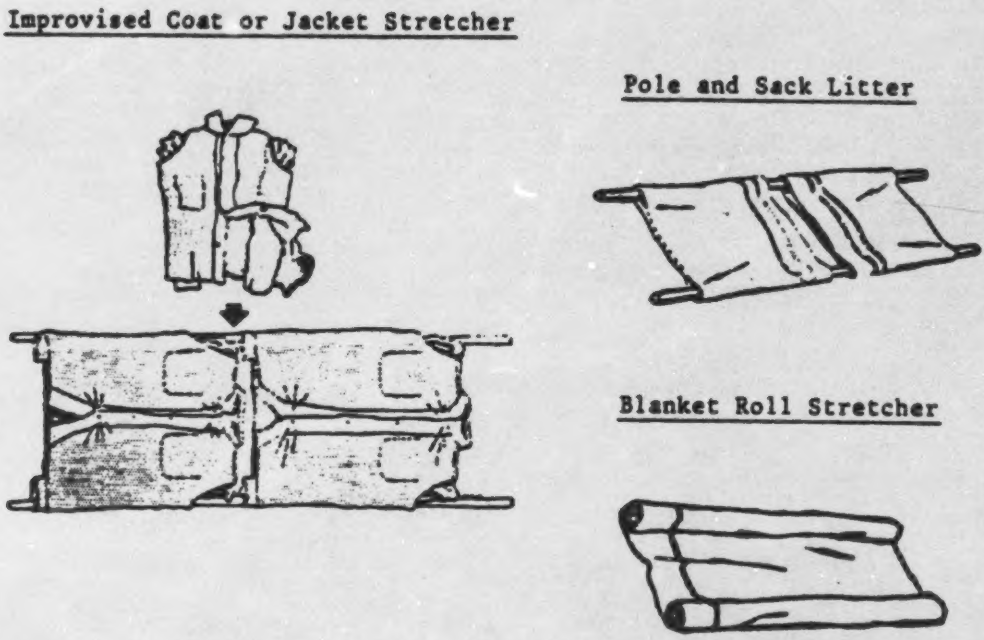
C. FOLD THE FREE EDGES OF THE BLANKET ACROSS THE SECOND POLE



- Pole and Blanket Stretcher

Figure 19–44

19.H.6.b.(Continued)



Improvised Coat or Jacket Stretcher

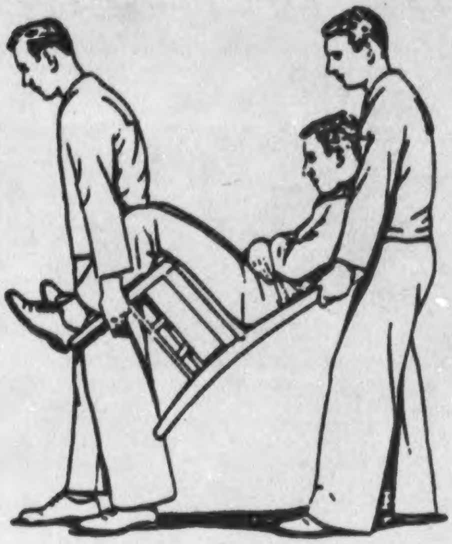
Pole and Sack Litter

Blanket Roll Stretcher

Improvised Stretchers

Figure 19–45

c. **Chair Litter**. This method requires two men. It is valuable for carrying an ill person when litters are ineffective as through narrow passageways and small doorways (Figure 19–46).



d. **Stokes Stretcher.** In most instances when the rescuer is faced with the problem of moving a patient from or to a boat, a special litter called a Stokes stretcher should be available (Figure 19–47). The following procedure is recommended for its use:

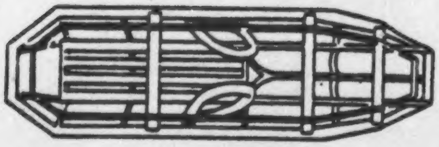
(1) Before placing the patient in the stretcher, cover the stretcher with two blankets placed lengthwise so that one blanket extends down each leg, and use a third blanket folded in half in the upper part of the stretcher to protect the head and shoulders.

(2) After the patient has been gently placed in the stretcher, secure his feet to the foot of the stretcher to prevent him from sliding, cover him with blankets and secure him by fastening the straps over the chest, hips and knees.

e. **Neil Robertson Stretcher** – This stretcher, made of semi-rigid canvas which can be wrapped around the patient like a

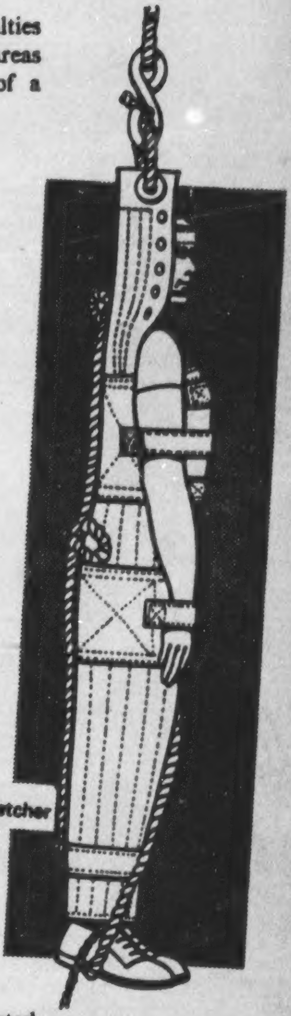
19.H.6.(Continued)

mummy wrapping, is especially adapted to lifting casualties from engine rooms, holds, compartments, and other areas where access hatches are too small to permit the use of a Stokes or Army Litter (Figure 19–48).



The Stokes Stretcher

Figure 19–47



- Using Neil Robertson Stretcher

Figure 19–48

7. **STRETCHER TRANSPORTATION**

   a. No matter what type of stretcher is used, it should be tested thoroughly before placing a patient on it. Testing should be done with someone on the stretcher who weighs as much or more than the patient.

   b. Extreme care should be taken when placing a patient on a stretcher, otherwise he may suffer unnecessary pain or further injury. The bearers should work together making each move in unison at the command of a leader. When placing the victim

19.H.6.b.(Continued)

on a stretcher, the three-man lift described earlier (Figure 19-42) should be used. A fourth man is required to help lift the patient and to place the stretcher under him. If there is an injury to the neck, back or pelvis, the patient should be lifted only high enough to slide the stretcher under him, if he must be moved at all. The procedure for placing a victim on the stretcher is shown in (Figure 19–49).

c. When the victim is secured to the stretcher, the four bearers take positions at the head, the foot, and on both sides at the center of the stretcher.

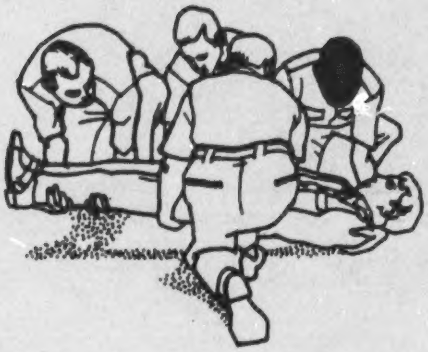
d. On command, all bearers stoop and grasp the stretcher and raise it together. On command, the two bearers in the center shift one hand toward the front of the stretcher and support this end while the man at the foot turns around to a marching position.

e. The patient is carried on the stretcher feet first. If he must be moved up a steep incline or steeps, he should be transported head first.

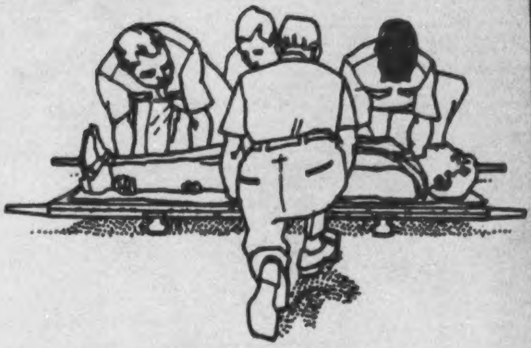
f. On command, the bearers should step off with the stretcher in unison. The bearers at the foot and on the sides of the stretcher step off on their left foot first. The bearers at the head steps off on his right foot first. This will prevent the stretcher from swaying.

19.H.6.f.(Continued)

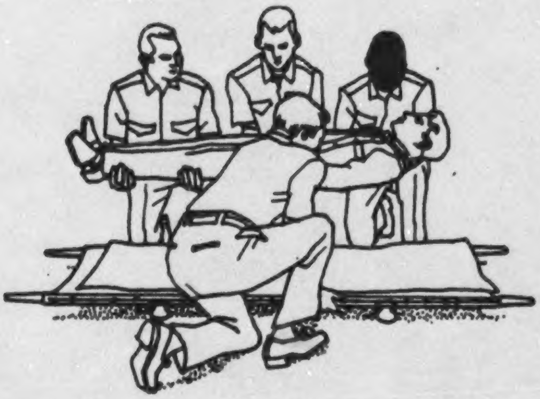
Transportation of the Injured



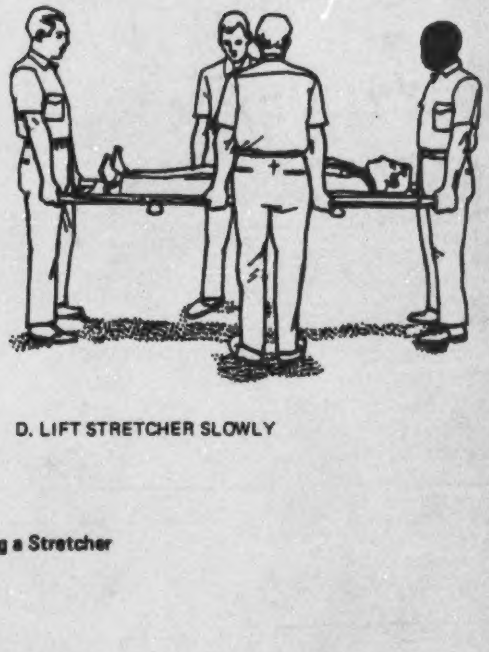
A. PREPARE TO LIFT THE VICTIM



C. LOWER THE VICTIM TO THE STRETCHER



B. WITH VICTIM RESTING ON BEARER'S KNEES, POSITION THE STRETCHER



D. LIFT STRETCHER SLOWLY

[redacted]

Figure 19–49 - Using a Stretcher

GLOSSARY

A

ABAFT THE BEAM: A direction measured from the amidships beam of a vessel to aft.

ADMIRALTY AND MARITIME JURISDICTION: Includes all navigable waters of the United States and, for vessels of the United States, also includes the high seas. This jurisdiction may extend into the territorial waters of a foreign sovereign in certain instances.

APPROVED: This term means approved by the Commandant of the Coast Guard unless otherwise stated.

ARREST: Arrest is the taking into official custody of the person accused of a criminal complaint before a court or in response to a subpoena.

ASSOCIATED EQUIPMENT: This means any system, part or component of a boat as originally manufactured or any similar part or component manufactured or sold for replacement, repair or improvement of such system, part or component; any accessory or equipment for, or appurtenace to, a boat; any marine safety article, accessory, or equipment intended for use by a person on board a boat excluding radio equipment.

AUTHORITY: Authority is legal or rightful power.

AUXILIARY COURTESY EXAMINER: An Auxiliarist who executes the Auxiliary's Courtesy Motorboat Examination Program and performs vessel facility examination.

AUXILIARY DIVISION: An Auxiliary division is an administrative unit formed when there are five or more flotillas in a given area.

AUXILIARY INSTRUCTOR: The instructors in the Auxiliary involved in executing the public education and member training programs.

AUXILIARY OPERATIONS: Auxiliarists who wish to participate in the operational area may qualify in any or all of six separate specialties: (1) communications; (2) search and rescue; (3) patrol procedures; (4) seamanship; (5) piloting and (6) weather.

B

BAREBOAT: Under a bareboat charter the charterer takes over the vessel and mans her with his own people. The charterer becomes in effect what is known in law as the owner **pro hac vice**. This means, owner for the particular occasion whether it be for a period of time or for a particular voyage. By analogy, the charterer becomes the owner just as does the lessee of a house and lot.

BOATING ACCIDENT: A boating accident means a collision, accident, or other casualty involving an undocumented vessel. A vessel is considered to be involved in a boating accident whenever the occurrence results in damage by or to the vessel or its equipment, in injury or loss of life to any person, or in the disappearance of any person from on board under circumstances which indicate the possibility of death or injury. A boating accident includes, but is not limited to, capsizing, collision, foundering, flooding, fire, explosion, and the disappearance of a vessel other than by theft.

BOSDET (Boating Safety Detachment): BOSDETS are special detachments of U.S. Coast Guard personnel charged with promoting boating safety on the navigable waters of the United States through public education and the enforcement of Federal laws, rules and regulations governing the safe operation of pleasure craft.

BOSTEAM: A BOSTEAM is a collection of BOSDETS within a given district.

BURDENED VESSEL: A burdened vessel is the vessel that must take positive early action to stay clear of the privileged vessel.

C

CAPSIZING: Capsizing is when a vessel overturns and the bottom becomes uppermost, except in the case of a sailboat. If a sailboat overturns, it will normally lay on its side. (A spilling out of persons, except in the case of sailboat, without completely overturning the boat is classified as "falls overboard.")

CERTIFICATE OF NUMBER: The certificate of number is the registration for boats in the state where the boat is principally used similar to the registration of automobiles.

CFR (Code of Federal Regulations): The CFR is a compilation of Federal Regulations, initially published in the Federal Register, divided into titles and sections similar to but not identical with those of the U.S. Code.

CHARTER: This is the means by which a vessel owner may make his vessel available for use by others for some consideration.

CHAPTER PARTY: This is a legal paper describing the terms under which a vessel is leased or rented to a person who wishes to operate it for his own pleasure or profit.

CIVIL OFFENSE: Where the statute involved does not declare imprisonment and does not specifically direct arrest or does not specifically indicate that the violation is a crime, then it is a civil offense.

CLASSES OF MOTORBOATS:

Class A – Less than 16 feet in length.
Class 1 – 16 feet to less than 26 feet in length.
Class 2 – 26 feet to less than 40 feet in length.
Class 3 – 40 feet to not more than 65 feet in length.

COASTAL NAVIGABLE WATERS: As used in the Oil Pollution Act, includes the territorial waters, harbors, and bays and rivers, as far as they are affected by the tides.

COLLISION WITH FIXED OBJECT: The striking of any fixed object, above or below the surface of the water except bottom. (The striking of rocks, reefs, shoals, etc. on the bottom is a grounding.)

COLLISION WITH VESSEL: Any striking together of two or more vessels, regardless of operation at time of accident. This also includes colliding with tow of another vessel, regardless of the nature of the tow, i.e., surf-board, ski-ropes, skier, etc.

COMBINATION LIGHTS: One light fixture with both red and green side lights mounted on it.

COMMANDANT: The Commandant of the U.S. Coast Guard.

COMPLIANCE: Compliance as it applies to arrest means the accused acknowledges in some fashion, ordinarily by complying with the order of arrest, that he has recognized his status of being under arrest.

CONTRABAND: Any matter the possession of which is unlawful.

COURTESY MARINE EXAMINATION: A boating safety examination administered by the Coast Guard Auxiliary.

CUSTOMS WATERS: This is a term used in the enforcement of customs laws. Every nation has the privilege of asserting limited jurisdiction outside her territorial waters when needed for self-protection or other legitimate reason. Since 1799, the United States has asserted rights to a band 12 nautical miles from the low water mark for the purposes of boarding vessels which are suspected of violations of our customs laws.

D

DOCUMENTED VESSEL: A vessel that is issued documents by the Coast Guard.

DOCUMENTS: A register (Certificate of Registry), an enrollment and license, a Frontier Enrollment and License, or a license issued under authority of the Bureau of Customs. Certain yachts may be documented. To be documented, a U.S. yacht must be 5 net tons or over.

E

ELIGIBLE STATE: A State that has a State boating safety program which has been accepted by the Secretary.

ENROLLMENT: Found in combination with a license, it identifies and describes the vessel.

EVIDENCE: A general term which applies to anything which tends to prove or disprove a question in dispute or to influence a belief respecting it.

F

FELONY: Any criminal offense punishable by death or imprisonment for a term exceeding one year.

FLOODING: Filling with water, regardless of method of ingress, but retaining sufficient buoyancy to remain upon the surface.

FLOTILLA: An Auxiliary unit that consists of 10 or more members who own facilities.

G

GROSSLY NEGLIGENT OPERATION: Grossly negligent implies extreme forms of negligence. Gross negligence is an absence of all care.

GROSS TONNAGE: The internal cubic capacity of all permanently enclosed spaces on a vessel expressed in tons of 100 cubic feet.

GROUNDING: When vessel runs aground, strikes or pounds upon rocks, reefs, shoals or the bottom.

H

HAILING PORT: The port where the vessel is documented, or the place in the same marine inspection zone where the vessel was built or where one of the owners resides.

HAND OPERATED: Any sound producing device which is operated by hand such as a hand siren or horn.

HIGH SEAS: The high seas are all parts of the sea that are not included in the territorial sea or in the internal waters of a country.

HOME PORT: The port having a vessel's documents and/or papers on file with the U.S. Coast Guard and other agencies.

HOT PURSUIT: An expression of the right of a law enforcement vessel or official to pursue from an area in which jurisdiction exists to an area wherein it would not otherwise exist.

HYPOTHERMIA: The loss of body heat which impairs the circulation system and can, if enough temperature is lost, cause death. If not recognized and treated promptly, hypothermia can rapidly turn a survivor into a fatality.

I

INDICTMENT: The formal written statement charging one or more persons with an offense.

INLAND WATERS: The dividing line between inland and international waters as established by the Commandant is used only for the purpose of the Rules of the Road, and the enforcement of the inland rules of the road. It has no connection with the territorial waters, high seas, or other terms denoting general jurisdiction or law enforcement except as it applies to laws relating to the navigation of vessels.

INNOCENT PASSAGE: A principle of international law, under which the laws of the territorial sovereign are not enforced upon the foreign vessel passing through her waters although the local sovereign may establish reasonable rules and regulations in the interest of safety which must be obeyed by the vessel exercising the right of innocent passage.

INTENT: A clear understanding and expression of your action.

INTERNAL WATERS: Waters landward of the baseline from which territorial sea is measured.

J

JURISDICTION: The right of the government to regulate conduct is jurisdiction. Also it is the right of the sovereign to control, including the authority to legislate, the power to require compliance with the laws, and in the absence of such compliance, to punish.

L

LENGTH OF A MOTORBOAT: Distance measured from end to end over the deck, excluding sheer.

LICENSE: A document for a vessel of 5 net tons or over and of less than 20 net tons, employed in coasting trade or fisheries, and a description of the vessel or her ownership.

LIGHTER: A larger boat or barge, usually flat-bottomed, mainly used in unloading or loading vessels not lying at wharves, or in transporting freight about a harbor.

LOW WATER MARK: The low water mark referred to in various jurisdictional definitions is the line of the water on the coast, beach or banks at the lowest tide and serves as the basis from which the territorial sea is established.

M

MANUFACTURER: Any person engaged in the manufacture, construction, or assembly of boats or associated equipment; or the manufacture or construction of components for boats and associated equipment to be sold for subsequent assembly; or the importation into the United States for sale of boats, associated equipment or components thereof.

MARINE CASUALTY: Similar to a boating accident except this type of casualty is reported by documented vessels.

MISDEMEANOR: Any offense other than a felony.

MOTORBOAT: Any vessel 65 feet in length or less, which is propelled by machinery, including steam, except tugs and towboats.

MOTORBOAT OPERATORS LICENSE: A license to operate motorboats, or other uninspected vessels of 15 gross tons or less propelled by machinery other than steam, while carrying six or less passengers for hire.

MOTOR VESSEL: Any vessel more than 65 feet in length, which is propelled by machinery other than steam.

MOUTH OPERATED: Any device operated by mouth such as bugle, police whistle, etc.

N

NAVIGABLE WATERS: Those which are in fact navigable and which by themselves or their connection with other waters, form a continuous channel for commerce with foreign countries or among the states. In general, this term can be applied to waters which have been navigable in the past, even though not navigable in fact at the present time.

NEGLIGENT OPERATION: The failure to exercise that degree of care necessary under the circumstances to prevent the endangering of life, limb or property of any person.

NET TONNAGE: The internal cubic capacity of all permanently enclosed spaces on a vessel expressed in tons of 100 cubic feet, less crew and operating space.

O

OCEAN OPERATORS LICENSE: Authorizes operation of such vessels carrying more than six passengers for hire on ocean or coast-wise waters.

OFFICER LICENSE: A license issued to professionally and physically qualified officers of the merchant marine by the Coast Guard.

OFFICIAL NUMBER: Always refers to the serial number of a documented vessel and is not to be confused with number awarded to undocumented vessels.

OPEN BOAT: Those motorboats or motor vessels with all engine and fuel tank compartments (and other spaces to which explosive of flammable gases and vapors from these compartments may flow) open to the atmosphere and so arranged as to prevent the entrapment of such gases and vapors within the vessel.

OPERATIONAL MEMBER STATUS: Status granted Auxiliary members who qualify in all six operational specialty courses (communications, search and rescue, patrol procedures, seamanship, piloting, weather) plus a seventh course in auxiliary administration.

P

PAPERS: All written or printed certificates required by the Coast Guard and other agencies' documents.

PASSENGER: Any person other than the master and the members of the crew or other persons employed or engaged in any capacity on board a vessel in the business of that vessel.

PASSENGER-CARRYING VESSEL: The term "passenger carrying vessel" means any vessel which carries more than six passengers, and which is:

1. Propelled in whole or in part by steam or by any form of mechanical or electrical power and is of 15 gross tons or less.

2. Propelled in whole or in part by steam or by any form of electrical power and is of more than 15 and less than 100 gross tons and not more than 65 feet in length measured from end to end over the deck excluding the sheer.

3. Propelled by sail and is of 700 gross tons or less; or

4. Non-self-propelled and is of 100 gross tons or less, except any public vessel of the United States or of any foreign state; or any lifeboat forming part of a vessel's lifesaving equipment.

The term includes: (1) any domestic vessel operating on the navigable waters of the United States or on the high seas outside of those and within the normal operating range of the vessel, and (2) any foreign vessel departing from a port of the United States (46 USC 390).

PASSENGER (FOR HIRE): A person carried on board a vessel for consideration.

PERSONAL FLOTATION DEVICES (PFD's): Coast Guard approved life preservers, buoyant vests, ring buoys, special purpose water safety buoyant devices, or buoyant cushions in good and serviceable condition.

PETTY OFFENSE: Any misdemeanor, the penalty for which does not exceed imprisonment for a period of six months or a fine of not more than $500, or both.

PILOT'S LICENSE: Another name for operator's license.

POINT OF THE COMPASS: An arc of 11-1/4 degrees of the compass. There are 32 points in 360 degrees.

PRIVILEGED: That vessel which, under applicable Rules of the Road, must maintain course and speed unless faced with possible collision (in extremis).

R

REGISTERED LENGTH: Length of a vessel measured on the top of the tonnage deck from the fore part of the outer planking or plating at the bow, to the after part of the sternpost of screw steamers and the after part of the rudder of other vessels. A vessel's registered length appears on all documents and is not acceptable for Coast Guard use in determining the length of a vessel under the Motorboat Act.

RIGHT OF INNOCENT PASSAGE: The right of any vessel to pass through the territorial waters of a foreign country with immunity from the local laws of that nation. In order to claim this right a foreign vessel must intend to pass through without entering a port, anchoring, or hovering in the territorial waters.

RULES OF THE ROAD: The statutory and regulatory rules governing navigation of vessels. These rules are published by the Coast Guard in pamphlet form as follows:

Rules of the Road - International and Inland (CG-169)
Rules of the Road - Great Lakes (CG-172)
Rules of the Road - Western Rivers (CG-184)

S

SAFETY PATROL: A roving waterborne patrol of boating areas for the purpose of determining, detecting, and reporting unsafe practices; observing aids to navigation and reporting deficiencies; and being immediately available for response to a search and rescue demand.

SECOND DEGREE BURNS: A burn with blister formations appearing and deeper than a first degree burn.

SECRETARY: The Secretary of the Department in which the Coast Guard is operating.

SHEER OF A VESSEL: The longitudinal upward curve of a deck and the amount by which the deck at the bow is higher than at the stern.

SINKING: Loss of enough buoyancy for a vessel to settle below the surface of the water.

SPECIAL MARITIME AND TERRITORIAL JURISDICTION OF THE U.S.: The high seas, any other waters within the admiralty and maritime jurisdiction of the U.S. **and out of the jurisdiction of any particular state** (partial definition sufficient for use of general duty boarding officers).

STATE: A state of the U.S., the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia.

STATE OF PRINCIPAL USE: That state in which a boat is in use (whether moored or underway) for the majority of a licensing time period.

STATE WATERS: Those waters confined entirely within a single state and which do not form a continuous channel for commerce with which Congress or the Federal Courts have specifically declared to be non-navigable waters of the U.S.

T

TERRITORIAL SEAS: All waters extending three miles from the lowest tide. Where bays and estuaries are involved, then under the principles of international law, the nation exercises dominion over the seas not only within the three mile limit from its shores, but also between headlands and three miles outside of a line drawn tangent to the headlands. When contiguous to the U.S., all rocks, shoals, and mud lumps or flats which are exposed by mean low water are also considered territory of the U.S. together with the waters extending three miles from the mean low water marks or line.

TERRITORIAL WATERS: Territorial seas and waters landward of the baseline from which territorial seas are measured.

THIRD DEGREE BURNS: Deep burns with complete loss of all layers of skin. The burn may look charred.

TRADE (Engaging in): A vessel is engaging in trade at any time the owner, operator, or charterer thereof receives any article of value in return for use of the vessel.

U

UNDOCUMENTED VESSEL: Any vessel which is not required to have and does not have a valid marine document.

UNITED STATES CODE ANNOTATED (USCA): An unofficial publication of the U.S. code in small volume form, each section accompanied by annotations of all court decisions of note interpreting the section.

UNITED STATES CODE (USC): Codification of U.S. laws by subject matter arranged in numerical titles. Published officially by the Federal Government in volume form and kept current between publishings by annual supplements.

USE: To operate, navigate, or employ.

V

VESSEL: Every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

VISIBLE: Visible on a dark night with a clear atmosphere (in reference to Rules of the Road).

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WARRANT: A legal document issued by a Federal Judge or magistrate which commands a law enforcement official to take into custody the person named in the warrant.

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